IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76664 of 2026

CNR No. BRHC011022572026

Arising Out of PS. Case No.-333 Year-2025 Thana- COMPLAINT CASE-ARWAL District-Arwal

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BRAJESH KUMAR GAURAV S/O RAMKRIPAL SINGH R/o vill and P.O.- Awagila, P.S.- Rampur Chauram, Distt.- Arwal

... ... Petitioner/s

Versus

1. The State of Bihar
2. Santosh Kumar S/o Janardhan Singh R/o vill - Pipara Bangla, P.O.- Hasanpur, P.S. and Distt.- Arwal

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ramakant Singh, Adv.
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 333 of 2025, registered for the offences punishable under Sections 115(2), 126(2), 352, 61(2), 316(2), 318(4), 3(5) of the BNS.

3. The prosecution case, in brief, is that co-accused Ramkripal Singh allegedly received Rs. 46,00,000/- from the complainant pursuant to an agreement for sale of land but failed to execute the sale deed.

4. The learned counsel for the petitioner submits that

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the petitioner is innocent and has falsely been implicated. He is a person of clean antecedent. He is merely a witness to the agreement.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. From a bare perusal of the complaint case, it appears that the only allegation against the petitioner is that he was a witness to the agreement by which the complainant alleges that Rs. 46 lakhs was paid to the father of the petitioner for sale of land which ultimately did not materialise because the complainant learnt that the land in question was having a title dispute. The role of the petitioner is merely of an witness and nothing beyond that. The petitioner also bears clean antecedent. Considering all these reasons, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Complaint Case No. 333 of 2025, subject to the conditions laid down under section 438(2) of the Code of

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Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) The petitioner shall co-operate in the investigation/ trial.

(ii) The learned Court below would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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