

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70767 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- Sonki District- Darbhanga

Shambhu Sahu S/O Late Ram Prasad Sahu R/O Vill.- Jakauli, P.S. Sonki,
District Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar
2. Maniraj Raj Kumar Mahaseth R/o- Village- Ratnopatti, ward no.09, P.S.-
Nagar, Dist.- Darbhanga

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha, Advocate
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Sonki P.S. Case No. 40 of 2025 registered for the offences punishable under Sections 318(4), 308(3), 351(2) & 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. As per FIR, named co-accused persons including petitioner alleged to cheat the informant in connection with purchase of land measuring about five Bighas.

4. It is submitted by learned counsel appearing for the petitioner that petitioner is a witness of agreement and



admittedly he is not the beneficiary of any monetary transaction. It is pointed out that primarily the dispute appears civil in nature for which the present criminal prosecution is completely unoccasioned and unwarranted. Petitioner claimed clean antecedent.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail of the petitioner.

6. Notice was issued to the informant/O.P. No. 2 which was received by him personally. Despite valid service of notice, none turned up on behalf of the informant/O.P. No. 2 as to join the present proceeding.

7. In view of aforesaid factual submission and by taking note of the fact as primarily the dispute between the parties appears civil in nature, where maximum allegation appears available against the petitioner is to sign the agreement as a witness, coupled with the fact that petitioner *prima facie* not appears beneficiary of any alleged monetary transaction, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail



bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Darbhanga/concerned court in connection with Sonki P.S. Case No. 40 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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