

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78553 of 2025

Arising Out of PS. Case No.-590 Year-2023 Thana- CHHATAUNI District- East Champaran

Dinesh Kumar Sahani Son of Birendra Sahani Resident of Village -
Bhawanipur Jirat, P.S. - Chhatauni, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner apprehends his arrest in a case registered under Sections 341, 323, 379, 385, 406, 420 and 504 of the IPC.

3. As per the prosecution case, the informant has given an amount of Rs. 3,00,000/- (Rupees Three Lakh) to the petitioner for purchasing a land which he had promised to give back to the informant which he misappropriated.

4. Learned counsel for the petitioner submits that the amount of Rs. 3,00,000/- (Rupees Three Lakh) which is alleged by the informant to be paid to the petitioner was infact the amount which the petitioner had given to the informant



earlier and as such, was in the nature of a repayment. It is further submitted that all the sections alleged are triable by Magistrate and considering the allegations the petitioner was earlier also granted the benefit of Section 41 (1) of the Cr.P.C by the Police and he has prayed for anticipatory bail upon submission of charge sheet and taking of cognizance and submits that he had never misused the said privilege granted under Section 41 (1) of Cr.P.C.

5. The application for anticipatory bail is opposed by learned A. P.P. for the State.

6. Taking into consideration the facts and circumstances and also considering the fact that the allegation basically involved not honouring of a promise, entailing civil liabilities, coupled with the fact that the petitioner never misused the privilege granted to him under Section 41 (1) of Cr.P.C., let the petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Tr. No. 3594 of 2025 arising out of Chhatauni P.S. Case No. 590 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending subject to the



condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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