IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79733 of 2026

CNR No. BRHC011162492026

Arising Out of PS. Case No.-304 Year-2026 Thana- SABAUR District- Bhagalpur

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Gautam Kumar Roy @ Gautam Kumar Rai @ Gautam Kumar S/o Sri Madan Ray @ Madan Kumar Rai Resident of village - Ghorpithiya, PS - Shahkund, District - Bhagalpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Mr. Purushottam Kumar, Advocate
	:	Mr. Deepak Kumar, Advocate
For the Opposite Party/s	:	Mr. Raj Kishor Singh, A.P.P.
For the Informant	:	Mr. Parth Sarthy, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 316(2), 318(4), 336(2) and 338 of the B.N.S., 2023.

3. As per the prosecution case, the petitioner in connivance with other, committed forgery with the informant in the name of execution of sale-deed.

4. Learned counsel for the petitioner submits that the narration of the fact in the First Information Report make it

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clear that the informant had made a payment of an amount of Rs. 8,20,000/- to the petitioner, but since the land which had been agreed to be executed in favour of the informant was not mutated in his name, the informant had agreed upon the offer made by the petitioner to carry out the registration of different plot of land. It is further submitted that in view of the payment made by the informant, the other plot of land was executed by the petitioner by way of a sale-deed. As such, no financial loss has occurred to the informant and, moreover, the allegations entail civil dispute between the parties and at best, not honoring of an agreement. The petitioner is in custody since 16.09.2026 and he undertakes to co-operate in the investigation/trial.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail on the basis of two criminal antecedents of the petitioner. However, in response, it has been submitted that one of the cases is under the Excise Act and the petitioner is on bail in both the cases.

6. Taking into consideration the facts and circumstances of the case and also considering the submission that the dispute entails civil consequences and that the petitioner has executed the sale-deed in favour of the informant in view of the payment made, let the above named petitioner, be released

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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 the learned Chief Judicial Magistrate, Bhagalpur, in connection with Sabour P.S. Case No. 304 of 2026, with subject to following conditions:

(i) One of the bailors shall be a family member/close relative.

(ii) The petitioner shall co-operate with the investigation/trial.

(Soni Shrivastava, J)

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