

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83956 of 2025

Arising Out of PS. Case No.-295 Year-2025 Thana- Sahayak Khajanchi District- Purnia

Bhawesh Sah @ Bhawesh Kumar Son of Raju Prasad Sah @ Raja Sah
Resident of Village - Tetarpur, Bhelaganj, P.S. - Shalmari, Dist. - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Manoj Kumar S/O Shri Rajendra Yadav R/V Maharajganj Near Sarana Chowk Ward No 31 Ps Sadar District Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar Bhagat
For the Opposite Party/s	:	Mr. Sanjay Kumar
For the O.P. No. 02	:	Mr. Shashi Bhushan Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 18-06-2026 Heard learned counsel for the petitioner, learned counsel for the O.P. No. 02 and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Sahayak Khajanchi Hat P.S. Case No. 295 of 2025 registered for the offence under Sections 316(2), 316(5), 318(4), 352, 351(2) of the BNS.

3. As per the prosecution case, the petitioner is alleged to have cheated Rs. 11 lakhs from the opposite party no. 02.

4. At the very outset, learned counsel for the petitioner, relying on the mediation report, submits that the petitioner has returned Rs. 3 lakhs to the opposite party no. 02



and is ready to return the rest 8 lakhs in equal monthly installments till January, 2027.

5. Considering the submission of the learned counsel for the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, **be released on provisional bail** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned concerned Court below in connection with Sahayak Khajanchi Hat P.S. Case No. 295 of 2025, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

6. The petitioner is directed to deposit Rs. 8 lakhs in the Court below in equal months installments of Rs. 1.13 lakhs which shall be released by the Court below in favour of the opposite party no. 02. It is made clear that the bail bonds of the petitioner shall be accepted on payment of the first installment and thereafter the petitioner will continue to deposit the rest installments before the 20th day of the month. Any default in depositing the installments will result in cancellation of bail bonds of the petitioner. It is also made clear that if the petitioner deposits the entire alleged cheated amount then the provisional



bail granted to the petitioner shall be confirmed by the Court below itself.

7. During the course of argument, the learned counsel for the opposite party no. 02 submits that the petitioner is trying to threaten the opposite party no. 02.

8. In view of the above, if any threat is made by the petitioner to the opposite party no. 02 then the opposite party no. 02 will approach the Senior Superintendent of Police, Patna for initiating action against the petitioner in accordance with law.

(Sandeep Kumar, J)

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