

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87988 of 2025

Arising Out of PS. Case No.-797 Year-2020 Thana- NAWADA District- Nawada

1. Bhola Sao S/o Late Dhaneshwar Sao Resident of Village - Bughaul, Police Station - Town, District - Nawada
2. Alok Sao S/o Bhola Sao Resident of Village - Bughaul, Police Station - Town, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md.Abu Shajar, Adv.
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Kamduddin, Adv.
		Ms. Priya, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Nawada Town P.S. Case No. 797 of 2020 registered for the offences punishable under Sections 406, 420 and 120(B) of the Indian Penal Code

3. As per FIR, allegation against co-accused persons including petitioners that when the informant alongwith her husband and brother went to the house of petitioner no. 1 Bhola Sao, they have been abused.



4. It is submitted by learned counsel appearing on behalf of the petitioners that dispute is primarily civil in nature arising out of agreement of sale with regard to land, in issue. It is submitted that investigation of this case already completed for which charge-sheet has been submitted and during entire investigation the petitioner was given benefit of Section 41(A) of Cr.P.C. which was never misused. It is submitted that now cognizance has already been taken by the learned Jurisdictional Magistrate, the petitioners having apprehension that they might be sent to judicial custody on surrender. While concluding arguments, it is submitted that petitioners are men of clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that in terms of agreement petitioner is appearing beneficiary as they received amount of Rs. 10,98,000/- from the informant, however, he could not disputed aforesaid submission.



6. In view of aforesaid factual submission and by taking note of fact as primarily dispute appears civil in nature where the petitioner not alleged to misuse benefit of Section 41(A) of Cr.P.C. during investigation, accordingly both above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada /concerned Court, where the case is pending in connection with Nawada Town P.S. Case No. 797 of 2020, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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