

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89366 of 2025

Arising Out of PS. Case No.-209 Year-2025 Thana- SAMASTIPUR District- Samastipur

Praveen Kumar Son of Late Raghunath Prasad Sharma R/o Village -
Bahadurpur Ward No. 27 Old, 15 new, P.S. - Samastipur Town, District -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate

Mrs.Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr.Jagdhara Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2026 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 Samastipur Town P.S. Case No. 209 of 2025 registered for the offences punishable under Sections 319(2), 318(4), 338, 336(3), 340(2), 341(1), 61(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. As per FIR, co-accused Jagdish Sah in collusion with other co-accused persons committed cheating by creating forged documents and by entering wrong khata and plot number regarding a plot, the sale of which was already stayed



by the court proceeding. The petitioner is the purchaser of the land.

4. Mr. Ajay Kumar Thakur, learned counsel appearing on behalf of the petitioner submitted that petitioner himself is the victim of circumstances as he purchased the land in issue after paying the full consideration amount. It is submitted that petitioner was not under knowledge qua stay order or any publication on portal, and when he subsequently came to know about the fact, he enquired the matter from the registry office, but by that time, the FIR in issue was already lodged.

5. Arguing further, it is submitted that at best the dispute is civil in nature for which the present criminal implication is unoccasioned and unwarranted. Petitioner claimed clean antecedent.

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

7. In view of the aforesaid factual submissions and by taking note of the fact as primarily the dispute appears civil in nature, coupled with the fact that petitioner is a man of clean antecedent, 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 Chief Judicial Magistrate, Samastipur/concerned court in connection with Samastipur Town P.S. Case No. 209 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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