

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1st-
CUM-SPECIAL JUDGE (SC/ST, CHILDREN & NDPS ACT)
AURANGABAD (BIHAR)

Present: Vishwa Vibhuti Gupta, District & Additional Sessions Judge-1st-cum- Special Judge
(SC/ST, CHILDREN & NDPS ACT) Aurangabad, Bihar.

REGULAR BAIL APPLICATION NO. 17 OF 2026
AURANGABAD(TOWN) PS CASE NO: 291 OF 2025

Ram Kumar Singh	Petitioner/Accused
State of Bihar	Prosecution
Versus	

Appearance:	
Learned Counsel for the accused/petitioner	- Md. Akmal Hasan
Learned Counsel for the State	- Shri Shakti Kumar Singh

Order with signature of the Court

<u>Dated</u> <u>13.01.2026</u>	A regular bail petition has been filed on behalf of the accused/petitioner namely Ram Kumar Singh who is in judicial custody since 20.12.2025 in connection with Aurangabad(Town) PS Case No. 291/2025 dated 14.05.2025 under Sections 318(4),316(2),338,340(2),3(5) of the Bhartiya Nyaya Sanhita (BNS), 2023. After furnishing the copy of the bail petition to the Ld. APP for the State this bail petition pressed today. The learned counsel for the accused/petitioner reading out the contents of the F.I.R., submitted that the accused/petitioner is innocent and he has committed no offence. the petitioner bears a case bearing Fesar PS Case No. 50/2012, U/s-138 of NI Act in which criminal appeal is pending int he Ld. Court of ADJ-III, Aurangabad, save and except no other case is pending against him. The petitioner has not committed any offence of cheating, breach of trust and forgery. He further submitted that it is true that there was a Baibeyana agreement between the petitioner and informant in which the petitioner has received Rs. 5 lakhs from the informant through Cheque No. 00097 dated 19.09.2025 from the informant's A/c no. 3236050000181 in his account bearing A/c no. 82890100000755 branch Bank of Baroda, Old GT Road, Aurangabad for the land Khata no. 203, Plot no. 2581, area 0.3 decimal, the said agreement has been signed by the petitioner and witnesses. So far as the land is concerned in appertaining to said khata and plot total area 12.5 dec. which is in the name of two brothers Arun Kumar SinGH and Sudarshan Singh both sons of Karu Singh of village Nimdi, PS-Konch district-Gaya and after family settlement both
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Cont.... 13.01.2026	possessed and acquired 1-1/2 share of the land and executed agreement of sale, Arun Kumar Singh executed the same on 31.07.2024 for the area 6.125 dec. and another agreement for sale dated 19.09.2024 executed in favour of the petitioner by Sudarshan Singh for the area 3 dec. and copies of both documents are enclosed with this bail petition. A legal notice dated 29.11.2024 was sent to Arun Kumar Singh containing therein that upto agreed dated i.e. 30.11.2024 the sale deed should be executed a sale deed no. 8195 on 27.05.2025 in favour of one Geeta Devi, the same land khata no. 203, plot no. 2581 area 06.125 dec. thus Arun Kumar Singh committed forgery, cheating and breach of trust against the petitioner and copy of the same is also enclosed with this bail petition. The petitioner having acquainted the fact brought a Title Suit No. 387/2025 against Arun Kumar Singh on 10.01.2025 before the Ld. Sub-Judge-I, Aurangabad for redressal of the said grievance and the copy of the same is also enclosed with this bail petition. it is further submitted that the matter was put up before the police Aurangabad Town PS where the police forced the petitioner to give two cheques each containing 5 lakhs to the informant and his brother and assured to settle the matter but no matter was settled rather Arun Kumar Singh sold the land to one Geeta Devi, that is why the petitioner stopped the payment against the said cheques. It is further submitted that petitioner is ready to compromise with the informant. It is submitted that it is not a case of cheating, breach of trust and forgery because it is a completer matter of the sale and purchase of land. It might be a case at least not more than breach of agreement which attracts only civil dispute but seemingly and with connivance of local police, the informant succeeded to get the FIR instituted in criminal offence. The petitioner ha been languishing in judicial custody since 20.12.2025 and the accused-petitioner is man of means and it has been prayed to extend the privileges of bail to the accused-petitioner. Per-contra, the Ld. APP for the State has opposed the bail application and stated that the accused-petitioner does not deserve the regular bail.	
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Cont.... 13.01.2026	Heard both the parties and perused the case record. After perusal of the case record, it transpires that the FIR registered in Aurangabad(Town) PS Case No. 291/2025 dated 14.05.2025 under Sections 318(4),316(2),338,340(2),3(5) of the Bhartiya Nyaya Sanhita (BNS), 2023 against the accused/petitioner. Further, from perusal of the case record, the petitioner is named accused in the FIR and the allegation against him is that the petitioner entered into an agreement to sale to the informant which is bone of contention and informant has received earnest money in lieu of agreement to sale for which civil suit is pending in the Civil Court. From perusal of the case record, it appears that without giving notice to the accused and without assigning ground and reason of arrest to the accused makes the arrest of the accuses is illegal and void. Considering the above facts and circumstance of the case and without going to the merit of this case, the accused/petitioner is granted provisional bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) with two sureties of like amount each to the satisfaction of the Court till from today to 27.01.2026. Put up this case on 28.01.2026 for hearing the bail petition on merit. Dictated by (Vishwa Vibhuti Gupta) District & Additional Sessions Judge-1st-cum- Special Judge (SC/ST, CHILDREN & NDPS Act) Aurangabad, Bihar. Dated: 13.01.2026	
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