

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
ANTICIPATORY BAIL PETITION NO. 734/2026
(Arising out of Muffassil P.S. Case No. 110/2025)

Dipak Kumar Saraf

... Petitioner

Versus

The State of Bihar

... Opposite Party

Ld. Counsel for the petitioner:-
Ld. Counsel for the State :-

Sri Amresh Kumar Deo, Advocate
Sri Shiv Narayan Singh, APP

Date of hearing/Disposal: 09.07.2026

ORDER

An anticipatory bail petition has been filed on behalf of the accused petitioner namely (1) Dipak Kumar Saraf, who is apprehending his arrest in connection with Muffassil P.S. Case No. 110/2025 for the offence registered U/S 316(2), 318(4) of the B.N.S. The copy of the same has already been duly served to the Ld. Addl. P.P. for the State.

Heard the Ld. counsel for the petitioner and the learned A.P.P. for the State.

The Ld. counsel of the petitioner has submitted that no B.P. or A.B.P. on behalf of the accused petitioner have been filed or moved earlier before this court or before the Hon'ble High Court, Patna. The petitioner is quite innocent and has committed no offence and he has been falsely implicated in this case. That the petitioner has no criminal antecedent except Katihar Nagar P.S. Case No. 540/2025 in which the petitioner is on bail. That the petitioner has no knowledge whatsoever regarding any alleged agreement for sale or transaction. Petitioner was neither a party to the alleged agreement nor involved in any negotiation, execution or transaction between the informant and Narayan Kumar Mallik. That the petitioner has never make any forgery, no cheating etc against the informant. That the petitioner filed an informatory petition earlier against Narayan Kumar Mallik vide I.P. No. 1820/2023 in the Court of Ld. C.J.M., Katihar. The petitioner is local business man and no chance of his absconding. The petitioner is ready to furnish local and solvent bailors to the satisfaction of the court. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of A.B.P. filed on behalf of the above named accused petitioner and submitted that the petitioner have committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioner.

The case of the prosecution, in brief, is that the informant Amit Kumar intended to purchase residential land and was introduced by Amar Nath Prasad to Narayan Kumar Mallik, who claimed to have authority to sell a plot at Mouza Rampur. Believing his representations, the informant entered into an agreement on 21.12.2020 with Narayan

Mallik and paid Rs. 5,00,000/- as advance. Later, the informant discovered that the land was not registered in his favour and alleged that he had been cheated of Rs. 5,00,000/-. Hence, the present case.

Heard rival submission of the Ld. counsel on behalf of the accused petitioner and the Ld. Add.P.P. for the State and perused the C.D. From perusal of the same, it transpires that the Muffassil P.S. Case No. 110/2025 has been registered U/S 316(2), 318(4) of the B.N.S. against the accused person. Petitioner is named accused in the F.I.R. and the agreement for sale was executed by Naryan Kumar Mallik in which the petitioner is neither a signatory nor a party to the agreement. The petitioner has three criminal history but the entire allegation pertains to Narayan Kumar Mallik, who allegedly received the advance amount and executed the agreement for sale. The complainant has not alleged that any part of the advance amount of Rs. 5,00,000/- was paid to or received by the petitioner. He is ready to co-operate into investigation of this case and there is no chance of absconding or tampering with the evidence.

Hence, considering the above facts and circumstances of the case, the present anticipatory bail petition of the above named accused petitioner is hereby **allowed** and the petitioner in the event of his arrest or surrender **within four (4) weeks of this order**, shall be admitted to bail on furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of the court.

(Sd/-)

(Sunil Kumar Singh-III)
D.A.S.J.- III, Katihar
09.07.2026