

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8444 of 2025

Arising Out of PS. Case No.-39 Year-2024 Thana- Badem P.S. District- Aurangabad

Nitish Kumar S/O Late Nand Kishore Gupta @ Late Nand Kishore Prasad
R/O Village- Obra, P.S- Obra, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vicky kumar aged about 32 years(m) s/o Shri Binda Prasad P.s. Badam Dist-
Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Opposite Party/s : Mr.Md. Aslam Ansari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 15-09-2025 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Badem P.S. Case No. 39 of 2024, registered for the offences
punishable under Sections 406 and 420 of the IPC.

3. According to allegation, co-accused Santan Kumar
Bhardwaj came to shop of the informant and demanded Rs.
7,00,000/-. At the request of co-accused Santan Kumar Bhardwaj, the
informant transferred that amount to the petitioner's account. Co-
accused Santan Kumar Bhardwaj returned Rs. 1,50,000/-, but the
remaining amount was not returned to the informant.

4. Learned counsel for the petitioner has submitted that
prior to the alleged occurrence, there were money transactions
between the petitioner and the informant. As a matter of fact,



regarding the CSP, the parties were engaged in money transactions, and the present case is of a civil nature. The petitioner is a person of clean antecedent.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that on assurance of returning the money, the informant made the payment, but the money was not refunded.

6. Considering the above-mentioned facts and circumstances especially the clean antecedent of the petitioner, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-I, Aurangabad in connection with Badem P.S. Case No. 39 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/482(2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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