

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14278 of 2025

Arising Out of PS. Case No.-3327 Year-2022 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Akshat Ashish, S/o- Alok Kumar Singh, R/o Ward No. 1, Village- Chandpura
Chakmakrand @ Chandpura Road, P.S. Biddupur, Distt. Vaishali

... .. Petitioner

Versus

1. The State of Bihar
2. Vishal Raj, S/o- Alok Kumar Singh, r/o Mohalla Lotus Apartment 203, New
Patliputra Colony, Boring Road, P.S.- Patliputra, Dist- Patna, At present
Karmawar Motors, Mahatma Gandhi Setu Road, Paswan Chowk Hajipur,
Distt.- Vaishali.

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Abhay Shanker, Advocate. Mr. Shashi Shekhar Kumar Prasad, Advocate.
For the State	:	Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No.3327 of 2022 dated
19.10.2022 filed for the offence punishable under Section 420 of
the Indian Penal Code and Section 138 of the Negotiable



Instrument Act.

3. As per allegation, Complainant Vishal Raj wanted to purchase a car, for which, he paid Rs.19,00,000/- to co-accused Alok Kumar Singh by way of transfer from Bank to Bank, but when co-accused Alok Kumar Singh could not deliver the car, he issued a Cheque for the amount of Rs.19,00,000/- in favour of the Complainant, but the same was dishonoured on presentation to the Bank. Hence, as per allegation, co-accused Alok Kumar Singh has committed cheating against the Complainant. It is further alleged that Alok Kumar Singh had introduced the accused/petitioner who happens to be his son, who also persuaded the Complainant to pay the amount the co-accused for purchasing the car.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no averment at all in the statement of the Complainant before learned Magistrate under Section 200 Cr.PC. The allegation is only against co-accused Alok Kumar Singh who has already been enlarged on anticipatory bail by learned court below.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier



either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Vaishali at Hajipur, in connection with Complaint C1 Case No. 3327 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.



(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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