

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14472 of 2025

Arising Out of PS. Case No.-709 Year-2024 Thana- PHULWARISHARIF District- Patna

Abhishek Nand Gautam @ Sonu S/O Rama Nand Ram Resident of Vidyawati
Niwas, FCI Road, Prakash Nagar, P.S.- Phulwarisharif, Dist.- Patna, Bihar-
801505 ... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajni Kant Singh, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, A.P.P.

Mr. DK Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 06-05-2025 Heard learned counsel for the petitioner, the State and
the informant.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 420, 467, 468, 341,
323, 504, 506, 325/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner (who is son
of Former Dy. S.P.) and his mother took Rs. 59.50 lacs from the
informant and others on the pretext of providing them job but
they neither provided job nor did they return the money.

4. It is submitted on behalf of the petitioner that the
petitioner is innocent and has falsely been implicated in this
case. Informant himself has given contradictory statement
regarding payment of money and preparation of alleged
agreement inasmuch as he states that money was given for
providing job and subsequently an agreement was entered by
one Sarvesh Kumar, who is not informant and petitioner
showing the money to be a debt amount which falsifies and
contradicts allegation of taking money for providing job. By
filing supplementary affidavit, learned counsel for the petitioner
submits that without admitting guilt and without prejudice to his
right and contention, petitioner is ready and willing to make
payment of Rs. 16,91,500/- (Rupees Sixteen Lakhs Ninety One



Thousand and Five Hundred Only) as per the documents of bank account transactions enclosed with the F.I.R. in connection with the present case in instalments in the Nazarat of the concerned Civil Court, subject to outcome of the case.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate XIV, Patna in Phulwarisarif Police Station Case No. 709 of 2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on following conditions:-

(i) At the time of furnishing bail bond, Rs. 5 lacs shall be deposited by the petitioner in the Nazarat of the Court below.

(ii) Rest amount of Rs. 11,91,500/- shall be deposited by the petitioner in four equal installments within four months thereafter.

(iii) If the petitioner fails to comply with the aforesaid direction of this court, the court below shall be at liberty to cancel the bail bonds of the petitioner.

6. It is made clear that without going into the merit of the case, aforesaid order has been passed only for the purpose of grant of bail and this deposit would be subject to the final result of the criminal case.

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(Prabhat Kumar Singh, J)

