

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14283 of 2025

Arising Out of PS. Case No.-1290 Year-2022 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Bablu Khan @ Babblu Khan Son of Tauhid khan @ Waheed Khan Resident
of Village- Naya Bhajpur, P.S.- Bhojpur, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Vikas Kumar Tiwari S/o- Achhya Kumar Tiwari Village- Asha Padari Ps-
Simari Dist- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 28-05-2025 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection
with Complaint Case No. 1290(C) of 2022, registered for the
offences punishable under Section 420 and 406 of the Indian
Penal Code. Petitioner has one criminal antecedent.

3. As per the complaint, the complainant has alleged
that the petitioner along with Md. Miraj and Gulam Khan had
lured him in purchasing a truck and on the assurance of the
petitioner, the complainant had paid Rs. 7,29,000/- in the
accounts of Md. Miraj and Gulam Khan through R.T.G.S. It
has further been alleged that despite the said payments being



done, the truck was not handed over to the complainant.

4. The learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The learned counsel for the petitioner submits that the petitioner is neither the owner of the truck nor he has received a single penny which was paid by the complainant in the accounts of Md. Miraj and Gulam Khan. It has further been submitted that petitioner can be said to be the mediator between such transaction and no specific allegation against the petitioner has been leveled by the complainant. It has lastly been submitted that the petitioner has one criminal case of the year 2009 and in the present case he is in custody since 24.01.2025.

5. The learned A.P.P. for the State has opposed the prayer for bail. It has been observed that the notices were issued to the O.P. No. 2 and the notice was stated to have been received by the father of the complainant however, nobody has entered any appearance in the present matter.

6. Considering the aforesaid submissions made by the respective parties and taking into account that the petitioner has not been paid any single amount and the period of custody, I am inclined to grant the petitioner privilege of



regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released 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 court of learned Chief Judicial Magistrate, Buxar, in connection with Complaint Case No. 1290(C) of 2022, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal



antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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