

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23931 of 2025

Arising Out of PS. Case No.-221 Year-2023 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Guddu Chaudhary Son of Late Nand Kishore Chaudhary Resident of village
-Hisra @ Pokhra PS- Sat Barwa District -Plamu jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Upendra Kumar Son of Suraj Prasad Resident of village- Kajiyana, Ps-
Parasbiga, Dist- Jehanabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Binay Kant Mani Tripathi, Advocate
For the Opposite Party/s	:	Mr. Madhura Nand Jha, APP
For the Complainant	:	Mr. Raju Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 23-07-2025 Heard Mr. Binay Kant Mani Tripathi, learned
counsel for the petitioner, Mr. Raju Kumar, learned counsel
appearing on behalf of the Complainant as well as Mr. Madhura
Nand Jha, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 221 of 2023 for the
offences punishable under Sections 420 and 406 of the Indian
Penal Code.

3. According to prosecution case, the complainant
gave Rs. 5 lakhs through RTGS and Rs. 4 lakhs in cash to the
petitioner and other accused persons and when the complainant
demanded his money back then an agreement was made that the



accused persons will return the amount in 12 installments but they have not returned the money back to the complainant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offences as alleged in the complaint petition. In fact, the petitioner has received Rs. 5,00,000/- from the complainant out of which he has returned Rs. 80,000/- and as on today total Rs. 4,20,000/- (Four lakhs and twenty thousand) is due against the petitioner. He further submits on instruction that the petitioner is ready to return Rs. 2,00,000/- (Two lakhs) to the complainant and the rest amount will be subject to the present complaint case.

5. Learned counsel appearing on behalf of the complainant submits that the complainant is ready to receive Rs. 2,00,000/- (Two lakhs) from the petitioner.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks



from the date of receipt of the order, 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 learned Judicial Magistrate 1st Class, Jehanabad in connection with Complaint Case No. 221 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall furnish a demand draft of Rs. 2,00,000/- (Two lakhs) in favour of the complainant, namely, Upendra Kumar and the same shall be deposited at the time of furnishing bail bond and the learned Court below is directed to hand over the said demand draft to the complainant or his representative.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



iv. And further condition that the 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.

(Rajesh Kumar Verma, J)

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