

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24840 of 2025

Arising Out of PS. Case No.-4640 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Abhilash Kumar S/o Sri Ajay Kumar Proprietor of Hair Studio and Step Up
Cafe and Restaurent, Basant Vihar Market, Near Panch Shiv Mandir, P.S.-
Kankarbagh, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Virendra Kumar S/o Sri Krishna Murari Singh R/o Fulpari Dev Path,
Chandmar Road, P.S.- Kankarbagh, District- Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mrs. Vaishnavi Singh
For the Opposite Party/s :		Mr. Upendra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 20-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a complaint
case, punishable for the offence under Sections 406, 417 of the
Indian Penal Code.

3. The complainant has alleged that this petitioner and
two other co-accused induced him to invest Rs. 30 Lakhs in
their business, assuring monthly returns and if business failed,
the said investment would be returned in installments.
Therefore, a written agreement was prepared stating therein that
this petitioner shall return the alleged money to the complainant



and if he failed to return said amount, then he will pay Rs. 40,000/- per month to the complainant. Thereafter, partial payment was made through cash and cheques and when complainant presented said cheques in the bank, they were dishonoured due to stop payment instruction and when complainant asked about the same, the accused persons used abusive language and refused payment and also snatched Rs. 90 thousand with a gold chain from the complainant.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence. Petitioner has already paid Rs. 8,02,000/- to the complainant through bank. He further submits that as per agreement, the alleged amount has to be paid in installments and out of total 30 lakhs, Rs. 10 lakhs has already been returned. Learned counsel for the petitioner, by way of filing supplementary affidavit, submits that out of remaining amount of Rs. 20 Lakhs, petitioner is ready to deposit 30 % of said amount i.e. Rs. 6 Lakhs in two installments in Nazarat of Civil Court and that will be subject to final outcome of the case. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.



6. In view of aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner 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 learned Judicial Magistrate 1st Class, Patna in connection with Complaint Case No. 4640 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S. with further conditions:-

“(A) At the time of furnishing bail-bond, the petitioner shall deposit **Rs. 2,00,000/-** (Two lacs) in the *Nazarat* of concerned Civil Court and receipt of the same shall be furnished alongwith bail-bond.

(B) Rest amount i.e. **Rs. 4,00,000/-** (Four Lacs) shall be deposited in the *Nazarat* of concerned Civil Court in two installments within a period of six months from the date of furnishing bail-bond.

(C) The aforesaid payment shall be subject to final outcome of the case.

(D) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

7. This order has been passed, without going into the merit of the case, only for the purpose of considering the prayer



for anticipatory bail of petitioner.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

