

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25486 of 2025

Arising Out of PS. Case No.-1659 Year-2023 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Surendra Chaudhary S/o Late Bechan Chaudhary R/o vill - Majhauri, P.S. -
Bidupur, Distt.- Vaishali Petitioner/s

Versus

1. The State of Bihar
 2. Praveen Kumar Singh S/o Late Sanjay Kumar Singh R/o vill - Baranti, P.s.-
Rajapakar, Distt.- Vaishali
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-05-2025 Heard Mr. Ashok Kumar Mishra, learned counsel for
the petitioner and the State.

2. The petitioner is apprehending arrest in connection
with Complaint Case No. 1659 of 2023 instituted under Sections
406/420/34 of the Indian Penal Code.

3. As per the prosecution story, the informant alleged
that the “Adarsh Sahyog Samiti” a non-banking company created
by the accused, lured and got the amount of the complainant
deposited and when she went for the maturity amount of Rs.
3,10,000/-, the same was not returned. This led to the FIR.

4. Learned counsel for the petitioner submits that
omnibus allegation against all the persons managing the ‘Samiti’,
no specific role is there against him, save and except that he is the
President. Further, to so show his bonafide, he is ready to deposit
in favour of Rs. 50,000/- to the complainant through Demand



Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that he has criminal antecedent of the same nature.

6. Considering the submissions of the parties, though it is clear that the innocent persons have been lured by the 'Samiti', in view of the fact that accusation is against number of persons, petitioner included, is ready to pay Rs.50,000/- to the complainant by Demand Draft issued by the local branch of the State Bank of India, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.50,000/- to the complainant by Demand Draft issued by the local branch of the State Bank of India.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Complaint Case No. 1659 of 2023 to the satisfaction of learned Additional Judicial Magistrate-7th, Vaishali at Hajipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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