

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26942 of 2025

Arising Out of PS. Case No.-323 Year-2024 Thana- PIPRA District- East Champaran

1. Ashok Giri @ Ashok Kumar Giri S/o- Late Bhagirath Giri @ Late Bhagrith Giri Village- Bediban madhuban PS- Pipra District- East Champaran
2. Chandra Shekhar Bharti @ Chanda Shekhar Bharti S/o- Late Ram Naresh Bharti @ Late Nageshwar Village- Bediban madhuban PS- Pipra District- East Champaran
3. Jai Chandra Ram @ Jaichand Ram S/o- Late Nathuni Ram Village- Bediban madhuban PS- Pipra District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Lokesh Kumar Singh, Advocate
For the State	:	Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-05-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 420, 467, 468, 471, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, these petitioners approached the informant and promised to secure training and jobs and on such assurance, informant paid Rs. 1,00,000/- through cheque but thereafter, neither the job was provided nor



any training was tendered and when the informant demanded his money back, all these petitioners became furious and assaulted on neck of informant by means of knife.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the petitioners are quite innocent and have been falsely implicated in this case. As a matter of fact, Petitioner No. 2 had taken a loan of Rs. 1,00,000/- from the informant through cheque and gave a cheque of Rs. 1,00,000/- as guarantee and thereafter, Petitioner No. 2 returned all the money in two installments in cash to the informant and when he demanded his cheque back, an altercation took place between the parties and thereafter, this false and concocted case has been lodged. No such occurrence, as alleged in the F.I.R. has ever taken place and the present F.I.R. has been lodged after inordinate delay of 8 years of the alleged occurrence and there is no plausible explanation for the same. Lastly, it is submitted that at this stage, without admitting their guilt, petitioners are ready to deposit the disputed amount amounting to Rs. 1,00,000/- (Rupees one lacs) in easy installments.

5. Considering the nature of accusation and aforesaid undertaking of petitioner, prayer for grant of anticipatory bail to the petitioners is allowed.



6. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar Motihari, East Champaran in connection with Pipra P.S. Case No. 323 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, along with the following terms and conditions:

- A. At the time of furnishing bail-bond **Rs. 50,000/-** (Rupees fifty thousand) shall be deposited through cash in the *Nazarat* of the Civil Court, Sadar Motihari, East Champaran.
- B. Rest amount i.e. **Rs. 50,000/-** (Rupees fifty thousand) shall be deposited in the *Nazarat* of Civil Court, Sadar Motihari, East Champaran in two equal installments within a period of six weeks from the date of furnishing bail-bond.
- C. The aforesaid payment shall be subject to the final outcome of the case.
- D. If petitioners fail to comply with the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioners.



7. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

shashank/-

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

