

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37771 of 2025

Arising Out of PS. Case No.-21 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Surendra Tiwari S/o Late Girija Nand Tiwari @ Late Birija Nand Tiwari R/o
Vill.- Pawara, PO- Kusamhra, PS- Suryapura, Distt.- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Janardan Singh S/o Late Ram Nath Singh R/o Vill.- Rampur, PS- Suryapura,
Distt.- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Choubey

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-06-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 420
and 504 of IPC.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and the complainant
alleges that petitioner had taken a friendly loan of Rs. 1,60,000/-
with a condition that the same shall be returned within a period
of six months, but after expiry of six months when complainant
asked the petitioner to return the loaned amount, he signed a
stamp paper on 19-8-2020, but even after lapse of the time as



recorded on the stamp paper, the money was not returned.

4. Learned counsel for the petitioner next submits that petitioner has been falsely implicated in the instant case by the complainant. It is further submitted that even presuming what has been alleged is true without admitting then the dispute is purely civil to which a criminal colour has been given. It is also submitted that complainant himself alleges that he had given friendly loan to the petitioner and in the event if the loan amount was not returned to the complainant in that event the complainant instead of instituting a criminal case ought to have moved before a court of competent civil jurisdiction for realising the amount where petitioner would also have got a chance to rebut the allegation.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Complaint Case
No. 21 of 2021, subject to the conditions as laid down under
Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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