

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52649 of 2025

Arising Out of PS. Case No.-129 Year-2021 Thana- AURANGABAD TOWN District-
Aurangabad

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Ambrish @ Ambrish singh @Amrish Singh Late Suresh prasad singh Village-
Maa Durga Nagar near Guru Basisth Vidyalaya ,P.S. -Hajipur sadar,District-
Vaishali at Hajipur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajesh Kumar Singh S/o Late Suresh Prasad Singh R/o Maa Durga Nagar
near Guru Basisth Vidyalaya, P.S. - Hajipur Sadar, District - Vaishali at
Hajipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-11-2025 Heard learned counsel for the petitioner, State as also
the informant.

2. The petitioner is in judicial custody in connection
with Aurangabad Town P.S. Case No. 129 of 2021 for the offence
punishable under Sections 420, 406 read with 34 of the Indian
Penal Code lodged on 05.04.2021 by the informant, Rajesh Kumar
Singh.

3. As per the prosecution story, the informant who
wanted to run a business relating to aluminum foil container. The
petitioner was paid a sum of Rs. 27,60,000/- when he was
introduced by co-accused, Pankaj Kumar Sinha and Neeraj Kumar
Sinha but the machine never reached the place of the informant



which led to the FIR.

4. Earlier, the bail application of the petitioner was rejected in Cr. Misc. No. 41320 of 2024 on 10.01.2025. This is second attempt.

5. It is to be noted that in the earlier bail application, relief was granted to the petitioner to explore the possibility of making payment but unable to do so, he surrendered and subsequently, the bail application was rejected.

6. Learned counsel for the informant submits that with clear intention, the amount was taken and the accused don't want to pay the amount, as such, he may not be extended relief.

7. This Court has heard the parties and perused the records, allegation is there, the petitioner took the money on the false promise and despite long rope, failed to return the same. However, this Court cannot ignore the fact that he is in custody since 24.02.2024, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Aurangabad in connection with Aurangabad Town P.S. Case No. 129 of 2021 subject to the following 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 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;

(iv) 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.

8. Needless to add, the petitioner has all the opportunity to approach the appropriate forum for the realization of the amount.

(Rajiv Roy, J)

Vijay Singh/-

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