

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61172 of 2025

Arising Out of PS. Case No.-636 Year-2022 Thana- SHASTRINAGAR District- Patna

Md. Sarwar Alam @ Sarwar Alam S/o Late Imim Hussain R/o Vill- Azad
Nagar, Ward No. 13, P.S- Araria, Distt- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravi Sushant S/o Late Shankar Prasad R/o 104-A, Raghwendra Lok
Apartment, Punaichak, P.S.- Shastrinagar, Distt- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Ramesh Kumar Singh, Advocate Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s	:	Mr. Md. Matloob Rab, APP
For the Informant	:	Mr. Bimlesh Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 17-12-2025 Heard Mr. N.K. Agarwal, learned Senior counsel for the

petitioner, Mr. Bimlesh Kumar Pandey, learned counsel

representing the informant as also the State.

2. The petitioner is apprehending his arrest in
connection with Shastrinagar P.S. Case No. 636 of 2022 for the
offence under sections 406, 420 and 120(B) of the Indian Penal
Code lodged on 25.09.2022 by the informant, Ravi Sushant.

3. As per the prosecution story, the informant alleged
that in the year 2017, his children were pursuing higher studies
from Jaipur/Pune for which, he was looking for some extra funds
alongwith monthly salary. In that background, he planned to invest
some money in the scheme to the knowledge of his neighbour,



Gopal Krishna.

4. The allegation is that later, Gopal Krishna took him to his office and introduced him with this petitioner who claimed himself as Chairman of Kota Education & Charitable Trust and Kota Group, Bihar. He gave some lucrative offer which followed the payment to the tune of Rs. 28,65,000/- to the petitioner and 4,00,000/- to the National Chairman of the Kota, Narsimha Murti.

5. The further allegation is that though an assurance was given that the work will start in two months, once the National Chairman comes back from Vishakhapatnam, it never materialized, excuses were there and later, he came to know that he has been duped. A legal notice was sent, the petitioner called him and informed that he has invested the money in building his home and also threatened of dire consequences. This led to the FIR.

6. Learned Senior counsel for the petitioner submits that so far as Rs. 4,00,000/- is concerned, the said National Chairman has already returned it to the informant which has been acknowledged by Mr. Pandey. The further submission is that they have come to an amicable understanding that for the present, he shall be paying Rs. 10,00,000/- in next six months in following manner:

“(i) Rs. 3,00,000/- at the time of execution of bail



bond;

(ii) Rs. 2,00,000/- after forty-five days of the execution of bail bond;

(iii) Rs. 2,50,000/- by next forty-five days and;

(iv) Rs. 2,50,000/- in next thirty days.”

7. Mr. Pandey representing the informant submits that though the actual amount comes to Rs. 22,15,000/- minus the cash amount that has been paid, for the present, as the petitioner has shown some positive response and is ready to pay Rs. 10,00,000/- so far as grant of relief is concerned, he is not opposing it keeping the right to pursue the criminal case that has been lodged by him.

8. Taking into account the submissions of the parties as also the facts that have emerged including the fact that the petitioner intends to clear the amount and in token of that he is making payment of Rs. 10,00,000/-, as recorded above, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

9. However, if he fails to abide by the undertaking that has been given/incorporated above, the informant shall be free to take steps for cancellation of his bail bond.

10. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned ACJM-IX, Patna in connection with Shastrinagar P.S. Case No. 636 of 2022 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.

(Rajiv Roy, J)

Adnan/-

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