

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74967 of 2025

Arising Out of PS. Case No.-4552 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Anirudh Rai S/o- Late Ram Ishwar Rai R/o Mohalla- Rastogi Maner PS-
Maner Distt-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Asif Iqbal S/o- Md. Shahabuddin M/s Maner Developers Office, B-16,
Capital Tower, Frazer Road Ps- Gandhi Maidan Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Deovind Kumar Singh, learned counsel

for the petitioner and Mr. Satyendra Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 4552(c) of 2023 for the
offences punishable under Sections 406 and 420 of the Indian
Penal Code.

3. According to prosecution case, this petitioner
represented himself as a property dealer and sold land to the
informant and took Rs. 14,00,000/- from him but he did not
executed the sale deed in favour of the informant and sold the
said land to another buyer.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that from perusal of the complaint petition it appears that the present occurrence has taken place due to some land transaction. As per the allegation in the complaint petition, the petitioner has received Rs. 14,00,000/-. Learned counsel for the petitioner fairly submits that the petitioner has received only Rs. 10,50,000/- through Cheque No. 003775 from the complainant and he has no concern with rest of the amount because the same has been given to other persons by the complainant.

5. Learned counsel for the petitioner on instructions fairly submits that the petitioner is ready to return Rs. 10,50,000/- to the complainant in two equal installments within a period of three months.

6. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph no. 3 of the bail petition that he is on bail in the pending matter.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or



surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XI, Patna in connection with Complaint Case No. 4552(c) of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall furnish a demand draft of Rs. 5,25,000/- (Rs. Five lacs and twenty five thousand) in favour of the complainant, namely, Md. Asif Iqubal and the same shall be deposited at the time of furnishing bail bond and the learned Court below is directed to hand over the said demand draft to the complainant or his representative and rest amount of Rs. 5,25,000/- (Rs. Five lacs and twenty five thousand) shall deposited within a period of three months from today. If the petitioner fails to deposit the aforesaid amount within the stipulated time, then the complainant will be at liberty to move before the appropriate forum for cancellation of the bail of the petitioner.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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