

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76140 of 2025

Arising Out of PS. Case No.-74 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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Dhuri Paswan S/O Upendra Paswan Resident of Village- Makhdumpur, P.S.-
Karaiparsurai, Dist.- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shantanu Kumar S/O Shiv Pujan Singh R/O Vill.- Udaini, P.S.- Gopalpur,
Dist.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha, Advocate
For the Complainant	:	Mr. Prem Nath, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Ashok Kumar Jha, learned counsel for the

petitioner, Mr. Prem Nath, learned counsel for the Complainant

and Mr. Dilip Kumar No. 1, learned APP for the State.

2. The petitioner is apprehending his arrest
connection with Complaint Case No. 74(c) of 2024, dated
03.01.2024 registered for the offences punishable under
Sections 406, 417 of the Indian Penal Code.

3. Allegation against the petitioner is that he has
misappropriated an amount of Rs. 3,70,000/- from the
complainant.

4. Learned counsel for the petitioner submits that the
petitioner carries two more cases other than the present one in



which he is on bail and he has been falsely implicated in the present case. Learned counsel for the petitioner submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. From perusal of the complaint petition, it appears that the present case is of civil nature and although the petitioner has received the amount from the complaint to the tune of Rs. 3,70,000/- (Rupees Three Lakhs and Seventy Thousand).

5. Learned counsel for the petitioner on instruction fairly submits that the petitioner is ready to pay the amount to the tune of Rs. Rs. 3,70,000/- (Rupees Three Lakhs and Seventy Thousand) to the complainant, namely, Shantnu Kumar.

6. Learned counsel for the Complainant has no objection in this regard.

7. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna in connection with



Complaint Case No. 74(c) of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(i) The petitioner shall produce Rs. 3,70,000/- (Rupees Three Lakhs and Seventy Thousand) by way of demand draft in favour of the complainant, namely, Shantnu Kumar within a period of eight weeks at the time of furnishing bail bond and the learned Court below is directed to hand over the same in favour of the informant or his representative and the rest amount of the complaint case will be the subject matter of the trial of the case.

(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 witness, 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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