

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4703 of 2025

Arising Out of PS. Case No.-755 Year-2016 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Anirudh Kumar Son of Satyendra Prasad @ Satyendar Prasad Resident of Village - Bahuara, Post - Karu Bigha, P.S. - Neemchak Bathani, District - Gaya. Presently Reside at Railway Station Road, Rajgir, P.S. - Rajgir, District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rambali Yadav s/o Munni Yadav Resident of Village - Belgali Pada, P.S. - Rajgir, District - Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Prasad Verma, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-05-2025 Heard Mr. Mahendra Prasad Verma, learned counsel for the petitioner and Mr. Dr. Mrityunjaya Kr. Gautam, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 755C of 2016 offences punishable under Section 406 of the Indian Penal Code and Section 138 of the N.I. Act.

3. Learned counsel for the petitioner fairly submits that petitioner has received Rs. 15 lacs from the complainant. He further submits that he has filed a supplementary affidavit annexing the details of the payment which suggests that the petitioner had already paid Rs. 10 lacs (Rs. Ten lacs) to the



complainant till 12.07.2018 itself. He on instruction fairly submits that the petitioner is ready to pay the rest amount of Rs. 5 lacs (Rs. Five lacs) to the complainant at the time of furnishing bail bond.

4. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

5. Considering the aforesaid facts, the petitioner has already paid Rs. 10 lacs (Rs. Ten lacs) to the complainant and he is ready to pay Rs. 5 lacs (Rs. Five lacs) to the complainant at the time of furnishing bail bond, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate-I, VII, Bihar Sharif, Nalanda in connection with Complaint Case No. 755C of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner is directed to produced a demand draft (DD) of Rs. 5 lacs (Rs. Five lacs) in favour of the complainant,



namely, Rambali Yadav and the learned Court below is directed to handover the same to the complainant.

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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