

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4043 of 2026

Arising Out of PS. Case No.-513 Year-2025 Thana- AURANGABAD TOWN District-
Aurangabad

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Dharmendra Kumar Tiwari S/O Arun Tiwari Resident Of New Area
Aurangabad Near Prijabart Chowk, PS- Town, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate
Mr. Rakesh Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-02-2026 Heard Mr. Krishna Pd. Singh, learned senior counsel

for the petitioner and Mr. Lalan Kumar, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Aurangabad Town P.S. Case No. 513 of 2025,
F.I.R. dated 23.08.2025 for the offences punishable under
Sections 406 and 420 of the IPC.

3. According to prosecution case, this petitioner has
borrowed total Rs. 3,00,000/- from the informant but refused to
return the same to the informant when he demanded.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The allegation as alleged in the F.I.R if false and



fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the petitioner has returned Rs. 42,000/- to the informant through PhonePe App. He further submits on instruction that the petitioner is ready to pay the dues amount to the informant within a period of six months.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries five criminal antecedents other than the present one but fairly submit that out of 5 cases he is on bail in 4 cases.

6. 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 CJM, Aurangabad in connection with Aurangabad Town P.S. Case No. 513 of 2025, 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 produce a demand draft of Rs. 50,000/- (Rs. Fifty Thousand) at the time of furnishing bail bond



in favour of the informant and the learned court below is directed to hand over the said demand draft to the informant or his representative and rest amount i.e., Rs. 2,08,000/- (Rs. Two lakh and eight thousand) will be paid in five equal monthly installments. If the petitioner fails to pay the aforesaid amount to the informant, the informant has liberty to move before the appropriate forum for cancellation of the bail bond 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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