

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15557 of 2026

Arising Out of PS. Case No.-753 Year-2022 Thana- COMPLAINT CASE - BARH District-
Patna

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Shekhar Paswan @ Sekhar Paswan S/o- Dinesh Paswan Village- Atnama, PS-
Barh, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Chintan Kumar R/v- Atnama Ps- Barh Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandhya Kumari, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 12-03-2026 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Cr. Complaint Case No.753(c) of 2022, registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code.

3. According to prosecution case, on 27.11.2019 the petitioner borrowed Rs.60,000 from him for his wife's medical treatment and gave a written promise to repay the amount soon. However, despite repeated requests and a legal notice, the



petitioner has failed to return the money.

4. Learned counsel for the petitioner submits that the petitioner's family had applied for Indra Awas Scheme, and at that time, the complainant and his associates had taken the petitioner's thumb impression on blank sheet, which has been mis-utilized by the complainant / O. P. No.2 to falsely implicated this petitioner in the instant case and for demanding money as commission. It has next been submitted that forcibly the O.P. No.2 is said to have already taken Rs.20,000/- from the petitioner and is illegally again demanding Rs.35,000/-. It has next been submitted that the document, on the basis of which the alleged liability has been fastened upon the petitioner, forming part of the complaint, clearly indicates misuse of the petitioner's thumb impression by the complainant. Lastly, it has been submitted that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that it is purely a dispute related with the Indra Awas scheme, which can be adjudicated in a different forum and the petitioner has clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.



7. Let the petitioner, above named, in the event of his/her 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 Judicial Magistrate First Class, Barh, Patna, in connection with Cr. Complaint Case No.753(c) of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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