

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15833 of 2025**

Arising Out of PS. Case No.-2165 Year-2023 Thana- WEST CHAMPARAN COMPLAINT  
District- West Champaran

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1. Shashikant Mishra @ Shashi Ranjan Kumar S/o Late Mahendra Mishra  
Resident of Vill- Krishna Nagar Sant Kabir Road, Banuchhapar, P.S.-  
Banuchhapar, Dist- West Champaran
  2. Akhilesh Kumar Mishra @ Akhilesh Kumar S/o Late Mahendra Mishra  
Resident of Vill- Krishna Nagar Sant Kabir Road, Banuchhapar, P.S.-  
Banuchhapar, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunil Kumar Tiwari S/o Late Ramakant Tiwari R/o vill - Banuchhapar,  
Gayatri Colony, P.S.- Banuchhapar, Distt.- West Champaran

... .. Opposite Party/s

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**Appearance :**

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|--------------------------|---|--------------------------|
| For the Petitioner/s     | : | Mr. Sanjeev Kumar        |
| For the Opposite Party/s | : | Ms. Rita Verma           |
|                          |   | Mr. Jharkhandi Upadhyay. |
| For the O.P. No. 2       | : | Mr. Ajeet Kumar Bhardwaj |

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

5      19-02-2026                      Heard the learned counsel for the petitioners and  
  
learned counsel for the State.

2. The petitioners apprehend arrest in connection with  
  
Complaint Case No. 2165C of 2023 for offences under Section  
  
420 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is  
  
accused of cheating the complainant.

4. Learned counsel for the petitioners submits that the  
  
petitioners are quite innocent and have not committed any



offence. He further submits that this is a case of a civil dispute. He also submits that the petitioner, without admitting his guilt and without prejudice, is ready to return Rs. 60,000/- to the complainant.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and the law laid down by the Hon'ble Supreme Court in the case of *Murarli Lal Gupta Vs Gopi Singh, (2005) 13 SCC 699*, this application for anticipatory bail stands allowed.

7. Accordingly, let the petitioners, above-named, in the event of their arrest or surrender within four weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, West Champaran, Bettiah/concerned court below in connection with Complaint Case No. 2165C of 2023 subject to the conditions as laid down under Section 482(2) of the BNSS and with further condition that:-

*At the time of furnishing bail bonds, the petitioner shall produce a demand draft of Rs. 60,000/- in the name of the complainant before the*



*Court below, and thereafter, the bail bonds of the petitioner shall be accepted. The Court shall release the demand draft in favor of the complainant after the acceptance of the bail bonds of the petitioner.*

**(Sandeep Kumar, J)**

Shishir/-

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