

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33254 of 2025

Arising Out of PS. Case No.-681 Year-2024 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Vikash Kunal @ Vikash Kumar @ Pappu son of Girish Prasad Singh @
Girish Singh Village -Jinedpur (Ginedpur), near middle School Ward No 5 PO
-Rajaura PS -Muffasil District -Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abhishek Kumar son of Late Shambhu Prasad Singh village- Pokharia,
Ward no. 39, ps- Town, dist- Begusarai Proprietor M/S- Vaibhabhi Green
Enterprises, Begusarai, 103 Nirtu Niwas, Dak Banglow Near Kali Sthan
chowk Pokharia, ps- Town, Dist- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sandip Kumar Gautam, Adv.
For the State	:	Mrs.Sangeeta Sharma, APP
For the OP-2	:	Mr. Rakesh Kr. Sharma, Mr. Alok Anand and Mrs. Pratibha Pandey, Advocates

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 16-01-2026 At the outset, learned counsel for the petitioner seeks
permission to make correction in paragraph – 6 of the
supplementary affidavit.

2. Permission granted. It may be done in course of the
day.

3. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for opposite party no. 2.

4. The petitioner apprehend his arrest in a complaint
case punishable for the offence under Sections 384, 386, 406,
420, 467, 468, 471, 472, 120(B), 34 of the Indian Penal Code



and Sections 72, 72(A), 73, 74 of the I.T. Act.

5. As per complaint case, the complainant, who is owner of Baibhavi Earth Green, was approached by this petitioner, who promised him that he would help him to get tender in Education Department, as a result of which, the complainant paid huge amount on different dates either through cash or in the bank account of this petitioner and other persons. The accused also took digital signature of complainant, but the tender was not awarded to complainant and when complainant demanded his money, the petitioner and other accused refused and also threatened to kill. It is further alleged that after repeated requests by complainant, this petitioner gave a cheque of Rs. 77,05,000/- to complainant, but the same got bounced.

6. Learned counsel for the petitioners submits that the petitioner, who happens to be proprietor of Rayeoan metal, and complainant are cousin brothers. He further submits that petitioner denies payment of cash amount and admits that he has only received Rs.26,75,000/- in his SBI bank account, out of which, he has already returned Rs. 10, 87,947/- in the bank account of Baibhavi Earth Green, whose proprietor is complainant and as such, petitioner is ready to return the remaining amount i.e. Rs. 15,87,053/- to the complainant, as per



statement made in paragraph – 6 of the supplementary affidavit, for which learned counsel for the opposite party no. 2 does not oppose and at the same time, learned counsel for the opposite party no. 2 submits that complainant has got receipt of cash amount, which he had given to petitioner.

7. Keeping in view the undertaking given by the petitioner, his prayer for anticipatory bail is allowed. Accordingly, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai in connection with Complaint Case No. 681 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the B.N.S.S. with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall refund remaining amount i.e. **Rs. 15,87,053/-** (Rupees fifteen lakhs eighty seven thousand fifty three only) through Bank Draft in the name of Abhhishek Kumar (complainant / opposite party no. 2).

(B) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of petitioner.”



8. It is made clear that aforesaid order has been passed only for considering the prayer for anticipatory bail without going into the merit of the case.

(Prabhat Kumar Singh, J)

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