

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41266 of 2026

Arising Out of PS. Case No.-185 Year-2011 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Shailendra Prasad S/O Ram Bali Prasad, R/O Village- Pashadhi, P.S-
Meskaur, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Sarfaraz Khan S/O Gyas Khan, R/O Village- Huldih, P.S.- Rupau,
Distt.- Nawada at present R/O Village- Bhadauni, P.S.- Nawada, Distt.-
Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Sarita Kumari, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No. 185 of 2011, dated
16.03.2011, filed for the offences punishable under Sections
420, 406 and 323/34 of the Indian Penal Code

3. As per allegation, the complainant had given his
Tata Magic vehicle to the petitioner to use it, subject to payment
of loan installment for Rs.9900/- per month, in addition to
payment of Rs.52,000/- at the time of handing over the vehicle
to the petitioner. But, only after payment of two or three
installments, the petitioner stopped the loan installment and the



vehicle also got traceless.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the whole allegation regarding transfer of possession of the vehicle to the petitioner and undertaking by the petitioner to make payment of monthly loan installment is false and fabricated. He further submits that the petitioner has nothing to do with the alleged vehicle in question and there is no incriminating material against him.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Complaint Case No. 185 of 2011, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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