

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54775 of 2023

Arising Out of PS. Case No.-3850 Year-2018 Thana- SARAN COMPLAINT CASE District-
Saran

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1. VINDHYACHAL TIWARY @ BINDHYACHAL TIWARI @ BINDHYACHAL TIWARY Son of Late Radheshyam Tiwari R/o - SIDDHI VINAYAK APARTMENT 1ST FLOOR NEAR KALI MANDIR HANUMAN NAGAR KANKARBAGH PS PATRKARNAGAR, DISTT. - PATNA
 2. Anita Kumari @ Anita Devi Wife of Bindhyachal tiwari @ Vindhyachal tiwari R/o - SIDDHI VINAYAK APARTMENT 1ST FLOOR NEAR KALI MANDIR HANUMAN NAGAR KANKARBAGH PS PATRKARNAGAR, DISTT. - PATNA

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalmuni Devi W/o Tarkeshwar Sharma R/o vill - Haraji, P.s. - Awtar Nagar, Distt. - Saran, Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Swetabh

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 09-02-2026 Heard the parties including the learned counsel for
the opposite party no. 02 Mr. Sambhu Pd. Yadav.

2. The petitioners apprehend their arrest in
connection with Complaint Case No. 3850 of 2018 registered
for the offence under Sections 406 and 420/34 of the Indian
Penal Code.

3. As per the prosecution case, the dispute between
the petitioner and informant is of cheating of Rs. Five lakhs by
the petitioners.



4. It has been submitted by the learned counsel for the petitioners that the petitioners are innocent and they have falsely been implicated in this case. He further submits that the petitioners are ready to return the alleged amount of Rs. Five Lakhs to the complainant within a period of six months in six equal installments which comes to Rs. 83,333/-.

5. Considering the aforesaid facts, this application is allowed.

6. Let the petitioners, above named, in the event of their arrest, be released on anticipatory bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the jurisdictional investigating officer in connection with Complaint Case No. 3850 of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

7. As a condition of this order, the Court below, before accepting the bail bonds of the petitioners, is directed to accept the bail bonds of the petitioners only after first installments is paid to the complainant. After release, the petitioners are directed to pay the balance amount within six months from the date of his release. After payment of the entire



amount of Rs. 5,00,000/-, the provisional anticipatory bail granted to the petitioner will be confirmed by the Court below itself. It is made clear that if the petitioners will fail in payment of the balance amount within six months from the date of their release then the bail bonds of the petitioners shall be cancelled.

(Sandeep Kumar, J)

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