

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75959 of 2025

Arising Out of PS. Case No.-1384 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

Upendra paswan, son of Ramshish Paswan, R/o Village-Dhekhaha Bazar,
Dhekhan Goswami Tola Motihari, P.S-Pipra Khoti, District-East Champaran
... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramadhar Ram S/o Shri Pujai Ram R/o vill - Machhahan, P.S.- Motihari
Muffasil, Distt.- East Champaran
... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Baidhyanath Thakur
For the Opposite Party/s : Mr.Binod Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 09-04-2026 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Complaint Case No. C-1384 of 2016 (Trial No. 1548
of 2025), in which cognizance has been taken for the
offence punishable under Section 420 of the Indian Penal
Code.
3. The prosecution case, as per the complaint petition, is that
the petitioner, on the promise of getting admission of the
complainant's son in an engineering college, at
Chandigarh, took a sum of Rs. 25,000/-, but the
complainant's son could not get admission in engineering
college and his education certificates has also been kept
by the petitioner.



4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He further submits that the complainant's son took admission in the B. Tech. (Computer Science) in the year 2015, in Adesh Institute of Technology, Mohali, Chandigarh, having Roll No. 1545857, but he left his studies. This would be evident from Annexure-2, which is the certificate given by the College, dated 06.08.2025. He further submits that the original educational certificates and other testimonials are with the College and the son of the complainant can take the certificates from the college itself.
5. I have heard learned Counsel for the parties concerned and have gone through the impugned order.
6. The learned Sessions Judge, East Champaran, at Motihari, has disposed the anticipatory bail application of the petitioner on the basis of law laid down by the Hon'ble Supreme Court, in the cases of **Arnesh Kumar v. The State of Bihar**, reported in **(2014) 8 SCC 273** and **Satendra Kumar Antil v. CBI and Another**, reported in **(2022) 10 SCC 51**, inasmuch as according to the learned Sessions Judge, East Champaran, at Motihari, the



maximum punishment for the offence alleged against the petitioner is seven years.

7. Considering the aforesaid, this application is disposed with liberty to the petitioner to surrender before the concerned Magistrate within a period of three weeks from today and seek regular bail. If the petitioner surrenders, the learned Magistrate will consider his bail application on the date of filing itself on the basis of law laid down by the Hon’ble Supreme Court, in the cases of **Satendra Kumar Antil** (supra) and **Arnesh Kumar** (supra) as well as the decision of this Court, in the cases of **Naushad Ansari v. The State of Bihar** (Criminal Misc. No. 3536 of 2024) and **Asha Baitha v. The State of Bihar** (Criminal Misc. No. 44659 of 2024).
8. This anticipatory bail application is disposed accordingly.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

