

In the Court of Addl. Sessions Judge II, Aurangabad

A.B.P No. 489/26

Narari Kala Khurd PS case no. 79/25

(Pawan Singh v/s State of Bihar)

Counsel for the petitioner – Shree Awdhesh Kumar (Advocate).

Counsel for the State – Shree Shyam Nandan Tiwari (A.P.P).

Present – Anindita Singh

Addl. Sessions Judge II

Aurangabad

25.3.26 -An application for anticipatory bail filed on behalf of accused petitioner namely Pawan Singh who is apprehending his arrest in connection with Narari Kala Khurd P.S case no. 79/25 under Section 316(2), 318(4), 3(5) of B.N.S has been pressed today for hearing.

Heard Ld. Counsel of the petitioner as well as Ld. APP.

One Santan Singh is the informant of the case who has filed a written report in cyper PS alleging therein that the land of the informant has been given to NTPC and the company has the policy to provide job to one member of the family for the said land. Meanwhile, his son Kamlesh Kumar was contacted by Nitish Singh who assured to provide job to him in NTPC and told the son of the informant to make payment of Rs. 25,000/- on the mobile of Pawan Singh bearing number 9693836847. As per the assurance the son of the informant made payment online on 26.5.25 through phone-pay but later on both persons denied to provide job and on demand of returning money started threatening him. On the complaint made on 1930 by the informant Rs. 12220/- were hold bearing acknowledgment no. 30507250046676.

While pressing the bail petition it has been submitted by the Ld. Counsel on behalf of the petitioner that the petitioner is entirely innocent and has been falsely implicated in this case. The petitioner owns a kirana shop and his mobile number is used for money transactions with the customers only. He has no connection either with the informant or his son. Further the petitioner bears clean criminal antecedent also. Accordingly, prayer has been made to enlarge the petitioner on anticipatory bail.

On the other hand Ld. A.P.P. on behalf of the State vehemently opposed the prayer of bail.

Heard and perused the case record as well as the case diary in total 65 paragraphs till 13.3.2026. The present petitioner is named in the FIR and the thrust of allegation against him is of taking Rs. 25,000/- from the son of the informant for providing him job in NTPC. The informant in para no. 5 of the case diary and other witnesses in para no. 6 & 7 of the case diary have supplied copy. Para no. 9 shows that the informant has revealed the wrong date of occurrence in the FIR which should be 26.3.25. Further para no. 46 of the case diary shows that the present petitioner has been given privilege of section 35(3) BNSS and he has been released on bond by the police. The present petitioner is fully co-operating in the investigation of the case as per submission and there is also nothing contrary available on the case diary in this regard. The present petitioner bears one criminal antecedent as per the para no. 52 of the case diary. The offence alleged against the petitioner are of punishable with imprisonment of 7 years & less and is ready to fully co-operate in the investigation. The present case is covered by directions of the Hon'ble Apex Court in the case of Arnesh Kumar vs. State of Bihar (2014) 8 SCC 273 and Satender Kumar Antil vs. C.B.I & another (2021) 10 SCC 773.

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Considering the entire facts and circumstances of the case, nature of allegation against the present petitioner, I find it judicious to grant the privilege of pre arrest bail to the petitioner. Accordingly, he, in the event of his arrest/surrender in the Court within four weeks from the date of the receipt of copy of this order, is directed to be released on bail on furnishing bail-bond of Rs. 20,000 with two sureties of the like amount each to the satisfaction of the learned concerned court subject to the conditions as laid down under Section 482(2) of BNSS with additional conditions as follows:-

(a) That the petitioner will fully cooperate during the investigation of the case and will make himself available to the Investigating Officer as and when required.

(b) That the petitioner shall not commit an offence similar to the offence of which he is accused of.

(c) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to the police station or tamper with the evidence.

*Sd/-
(Anindita Singh)
Addl. Sessions Judge -II*

CIVIL COURT AURANGABAD