

**In the Court of Md. Gheyasuddin District & Addl. Sessions Judge- II,
Vaishali at Hajipur,**

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**Crl. Misc Case No.- 85/2025
CNR. No.-BRVA010105972025**

In the matter of :-

Surendra Chaudhary, Age- 70 Years, S/o Late Bechan Chaudhary, R/o Village- Majhauri PS-
Bidupur, District- Vaishali,

..... **Petitioner**

Vs

State of Bihar

..... **Opposite Party**

ORDER

27.05.2026 The instant miscellaneous petition has been filed for modification of the order dated 21.12.2024 passed in ABP no.3205/2024 in connection with Rajapakar PS Case no. 150/2024.

The Ld. Adv. on behalf of the petitioner pressed the Crl. Misc. Petition No. 85/2025 and submitted that in the order dated 21.12.2024 passed in ABP no. 3205/2024 mistakenly in place of Rajapakar PS Case no. 150/2024 typed as Rajapakar PS Case no.150/2023. It is further submitted by the learned counsel of behalf of petitioner that in the order of ABP no. 3205/2024 the predecessor court has passed the order by giving the direction to deposit the amount of Rs. 50,000/- in Nazarat but the accused/petitioner has not deposited the said amount in nazarat as he is incapable to deposite the same. Hence the learned counsel on behalf of petiitoner prayed to delete the amount of Rs. 50,000/- as directed by the predecessor court to deposite in nazarat passed in ABP no.3205/2024.

The Ld. A.P.P. vehemently opposed the petition and submitted that it is a case of financial fraud in which, the then Ld. Court has passed order after taking into consideration all the facts and circumstances and further submitted that Hon'ble Court vide Cr. Misc. No.14685/2025 dated 25.03.2025 dismissed the petition of this petitioner as withdrawan with liberty to file appropriate application before the Court below itself. Thereafter also a Crl. Misc Case no. 31/2025 has been filed by the accused/petitioner before this court and the same has been also disposed off vide order dated 10.07.2025 with a direction that in the event of arrest or surrender of the petitioner within 15 days from receiving of this order, the petitioner would be granted bail to the satisfaction of the Ld. Court below, other conditions of the ABP no. 3205/2024, dated 21.12.2024 will remain same. Hence it is prayed to reject the miscellaneous petition of petitioner.

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From perusal of record it transpires that the predecessor court has allowed the ABP no. 3205/2024 filed by accused/petitioner and other co-accused persons with a direction to release him and other co-accused persons on bail in Rajapakar P.S.case No.150/2024 in events of their surrender or arrest in said case with a direction to deposit sum of Rs.50,000/- each with bail order in events of their arrest or surrender before the court below. That being aggrieved by the order to deposit sum of Rs. 50,000/- along with bail bonds applicants filed an application bearing criminal Misc.No. 14685/2025 before Hon'ble High Court Patna but the same after hearing was withdrawn with liberty to file appropriate application before this court for modification of the aforesaid order. Thereafter a Crl. Misc no. 31/2025 has been filed by the accused/petitioner before this court and the same has been disposed off vide order dated 10.07.2025 with a direction that in the event of arrest or surrender of the petitioner within 15 days from receiving of this order, the petitioner would be granted bail to the satisfaction of the Ld. Court below, other conditions of the ABP no. 3205/2024, dated 21.12.2024 will remain same.

In the above facts, circumstances of the case and also considering the fact that this is a case of financial fraud and vide order dated 21.12.2024, the Ld. Predecessor Court has passed the order after taking into consideration of all the facts and circumstances and directed the petitioner to deposit the amount of Rs. 50,000/- in Nazarat and after final verdict of the concerned Ld.Court, the same would be given to the concerned party, so that all the parties will fully co-operate in the trial but the accused/petitioner did not obey the order of court. Hence, regard being had to above mentioned facts & circumstances the Rajapakar Baranti PS Case no. 150/2023 typed in ABP no. 3205/2024 due to typing mistake be corrected as Rajapakar Baranti PS Case no. 150/2024. Further this court finds no cogent material to interfere with the other conditions of the Anticipatory Bail Petition No. 3205/2024 ,dated 21.12.2024. Hence the Cr. Misc. No. 85/25 is hereby, disposed off.

District & Addl.Session Judge-II
Vaishali at Hajipur.
27.05.2026