IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26204 of 2025

Arising Out of PS. Case No.-20 Year-2023 Thana- Cyber P.S. District- Khagaria

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Deepesh Singh @ Deepesh Singh Gour Son of Late Virendra Singh @ Virendra Singh Gaur Residen to Village- Greater Ratanvenue House No. 207, MR-5 Road Chimmanganj, Ps- chimmanganj Mandi, Dist- Ujjain, MP

... ... Petitioner/s

Versus

The State of Bihar bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sitanshu Shekhar Singh
For the Opposite Party/s : Mr.Jharkhandi Upadhyay
For the Informant : Mr. Anil Kr Choudhary

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 07-11-2025 Heard learned senior counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Khagaria (Cyber) P.S. Case No. 20 of 2023, G.R. No. 2781 of 2023 dated 14.08.2023 registered for the offences punishable under Sections 419, 420, 379, 467, 468, 471, 120B/34 of the I.P.C. and Section 66D of the I.T. Act.

3. As per the prosecution case, one Jatin Goyal gave a detailed information about 'Alliance Solution Company' (hereinafter referred to as 'ASC') to the informant through phone which is trading in share market and the same is running

for about ten years and there are two Head C.E.O. owners, namely, Yashika Bansal and Sher Singh Bakodiya and its compliance Head is one Abhinav Gupta and its Customer Support Head is one Rajesh Kumar. They further assured to give 25.40% monthly return and also assured monthly payment every month. It is further alleged that the said Jatin Goyal through the said Mobile No. 8878396877, sent forged documents and agreement paper in detail to the informant's WhatsApp Mobile No. 8789832487, E.mail I.D. daroliyamanjeet@gmail.com and who also said that he has been in this for about eight years. Further the link of URL-http:#alliance solutions was sent to his mobile and asked for KYC. Thereafter, he made forged agreement paper of the informant and his wife and provided I.D. As1600 of the informant and As1639 of his wife and also shared account details of 'AS' as 'Alliance Solution, H.D.F.C. Bank Ltd., Current A/C No. 50200068685552-IFSC Code-HDFC0003694, Nehru Nagar Branch, Bhopal'. He further disclosed that its Head Office is at Bangalore, 6/6 Hosur Road, Kudlu Gate, Krishna Reddy Industrial Area, H.S.R. Extension, Bengalaru, Karnataka-560068 and its office is also at Bhopal, 327/8, M.P. Nagar, Zone-2, Near-City Hospital, Bhopal, Madhya Pradesh-460023 which is completely forged. It is further alleged that the informant transferred money in the A/C No. 5020006868552 of the 'AS', total amount of Rs.

53,50,000/- on different dates and different Banks was sent from his bank account and his wife's bank account. Thereafter, as per agreement, amount of monthly payout was sent by 'AS' through his Alliance Solution A/C No. 502000686855 and total amount of Rs. 5,83,480/- was received on different dates in the bank account of the informant and his wife. It is further alleged that the informant used to talk on mobile phones with Jatin Goyal, Azad Tiwari, Bhaskar Kumar, Alliance Solution Customer Support, Rakesh Kumar, Krishna Mohanti. It is further alleged that in the month of January, the informant went to Bhopal and tried to search the office of the 'AS' but it was never found and when he tried to meet him then Krishna refused to meet on the pretext of illness and thereafter the informant again went to Bangalore and tried to search the office of 'AS' but no where it was found since as the said 'AS' was forged and fake. It is further alleged that the informant used to talk through WhatsApp, Chat and Message but always it was said that 'AS' is going on loss, hence, he is not sending the amount of monthly payout. Thus the 'Alliance Solution Company' committed fraud with the informant.

4. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. nor his name has come on the basis of

confessional statement of accused rather in course of investigation, it appeared that the petitioner was an employee for some period of H.D.F.C. Bank, Employee Code No. D11456 who verified the signature on two cheques of Sher Singh Bakodiya and Mohit of Rs. 8,00,000/- and Rs. 2,00,000/- and the same two cheques are related to personal account holder of Sher Singh Bakodiya vide A/C No. 50200068685552 and A.C No. 50100448054037. It is further submitted that after investigation, the charge sheet has already been submitted in the same sections. The petitioner has falsely been implicated in the present case under conspiracy by the Head of 'Alliance Solution Company' on the basis of suspicion, because he was an employee of H.D.F.C. Bank at the time of occurrence and he was authorized by the Branch Manager of H.D.F.C. Bank to convince the customer to deposit money of F.D.R.D. and L.I.C. but he has no connection of transition of main banking. It is further submitted that during the entire course of investigation, there is neither any call details with the accused persons nor any audio, video, CCTV footage which may show that the petitioner has any connection with the accused persons and several accused persons made their confessional statement but none of them took the name of the petitioner in the alleged offence and only the material has come that on 08.08.2022, the petitioner verified the signature of the account holder and receiver and except that there is no material against him. The petitioner is neither cheated the informant nor took a single rupees from him, entered any agreement with him, committed any conspiracy with him, any recovery was nade from the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 06.01.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has submitted that the petitioner being an employee of H.D.F.C. Bank, easily paid money to different cheque holders. It is further submitted that in paragraph no. 136 of the case diary, the statement of the witness Mohit Verma has been recorded under Section 161 of the Cr.P.C., in which he has stated that he has a Tea Stall and Juice shop at the distance of 100 meter from the said Bank and in the months of July and August, 2022, the petitioner who was an employee of H.D.F.C. Bank, came to his shop alongwith two persons and the petitioner told him to deposit of their two cheques on the counter and after encashment, the said amount would be paid to them. Thereafter, Mohit Verma alongwith the petitioner went at the counter of the Bank and encashed Rs. 10,00,000/- and the same was paid to them by the petitioner. Earlier also the same thing was done and Rs. 6,00,000/- was paid to the co-accused Shankar Mishra and Yogesh Sahu by the

petitioner. In paragraph no. 137 of the case diary, the statement of the witness Ramu Singh Parihar was also recorded under Section 161 of the Cr.P.C., in which he has stated that his bank account is in H.D.F.C. Bank, Nehru Nagar Branch, Bhopal and one and half year ago, the petitioner said that he has to open the account of his brother in the bank and demanded one cheque. The petitioner has paid Rs. 15,000/- in his account and opened the account of the main accused Sher Singh Bakodiya for that amount. Similarly in paragraph no. 138 of the case diary, it has been mentioned that in collusion with the petitioner from the A/C No. 50200068685552 of Alliance Solution and from the personal A/C No. 50100448054037 of the proprietor Sher Singh Bakodiya, the issued cheques were encahsed and paid to the co-accused Shankar Mishra and Yogesh Sahu. It is further submitted that from perusal of paragraph nos. 221 and 233 of the case diary, it appears that the involvement of the petitioner in the alleged offence is found true and further from perusal of the paragraph nos. 164, 165 and 166 of the case diary, it appears that all accused persons opened fake bank account in the name of the co-accused Sher Singh Bakodiya in the bank and cheated several persons. The regular bail application of the petitioner has already been rejected by this court vide order dated 23.09.2024 passed in Cr. Misc. No. 34050 of 2024. It is further stated that the petition for Special Leave to Appeal (crl.) no.

13531/2025 of the co-accused Nilesh Sahu has already been dismissed by the Hon'ble Supreme Court vide order dated 08.10.2025.

6. Considering the aforesaid facts and circumstances of the case as well as the gravity of offence and the materials available on the record,, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Khagaria (Cyber) P.S. Case No. 20 of 2023, G.R. No. 2781 of 2023, pending in the court of learned Judicial Magistrate-Ist Cass, Khagaria.

7. The application stands rejected.

8. The learned trial court is directed to conclude the trial of the petitioner at the earliest.

(Chandra Prakash Singh, J)

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