

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40904 of 2025

Arising Out of PS. Case No.-418 Year-2023 Thana- DAGARUA District- Purnia

Darul @ Md. Darul S/O Jabbar Resident of Village- kast Habar Sahja, Police
Station -Mansahi, Dist-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munmun Kumar S/O- Garang Vishwas , R/O-Kochali, Ward no.-6 , P.S.
-Dagrua, Dist-Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Jha, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State. In spite of valid service of notice upon the
O.P. No.2, no one has appeared on his behalf.

2. The petitioner apprehends his arrest in connection
with Dagarua P.S. Case No. 418 of 2023 instituted for the
offence under Sections 420, 406, 467, 468, 471 & 34 of the
Indian Penal Code.

3. Prosecution case in short is that accused persons
including the petitioner have hatched conspiracy against the
petitioner on the pretext of doubling the money and cheated an
amount to the tune of Rs. 20 lakhs.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in the present case with false and frivolous allegations. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has not committed any offence as alleged in the F.I.R. Not a single independent witness has come forward to corroborate the prosecution case of the Informant against the petitioner. It is also submitted that dispute involved in the present case is purely civil in nature. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner further submits that the co-accused Balkishan Bhagat has been granted regular bail by this Court vide order dated 18.04.2024 passed in Cr. Misc. No. 27581 of 2024. Co-accused Jahit @ Jahir Ansari and Iliyas @ Md. Ilyas have also been granted anticipatory bail by this Court vide order dated 04.07.2025 passed in Cr. Misc. No. 69883 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.



7. From perusal of the order dated 04.07.2025 passed by this Court in Cr. Misc. No. 69883 of 2024, it appears that the matter has now been compromised and the informant has already received his cheated amount. Para no.7 of the order dated 04.07.2025 passed in aforesaid Cr. Misc. No. 69883 of 2024 reads as follows;

“7. In this case, learned counsel for the Informant has filed counter affidavit. Paragraph no.3, being relevant, reads as follows:-

“3. That it is submitted and stated here that the informant has already received his cheated amount by the accused persons as well as the petitioners and as such the informant has now no objection to grant the anticipatory bail to the petitioners.”

8. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner specifically the fact that the Informant has already received the cheated amount, let the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dagarua P.S. Case No. 418 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

