

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38465 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- Chakia District- Begusarai

Manoj Das @ Manoj Kumar S/o Arjun Das R/o Village- Bihat, Jalelpur Tola
(Jalalpur tola), Nagar Parishad Bihat, Ward No. 22, P.S. F.C.I., District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-09-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Chakia (Chakiya) P.S. Case No. 2 of 2025, registered for
the offences punishable under Sections 316 and 318(4) of the
BNS, 2023.

3. Allegation against the petitioner is of defrauding
and extracting Rs. 1,04,500/- from the informant and her
deceased husband on the pretext of providing job to her.

4. Learned Advocate for the petitioner contended that
the FIR discloses that the amount was withdrawn from the bank
account on 18.07.2023 and thereby, handed over to the
petitioner. But the present FIR came to be instituted on



02.01.2025, without disclosing the reason for delay. In fact, the amount of Rs. 1,04,500/-, which is said to be handed over to the petitioner, was only for depositing the premium amount with the Reliance Nippon Life Insurance Co. Ltd., in favour of the deceased husband of the informant, where the wife of the petitioner was agent. However, the said cheque went dishonored and later on, cash amount has been deposited by the informant. Later on, within few days the husband of the informant died on account of heart attack and when the informant approached for insurance claim, same was repudiated on the ground of suppression of fact of ailment of the husband of the informant. The reason for institution of the FIR is only in order to put undue pressure and realize the insured amount. Prior to the institution of the FIR, the petitioner had also filed an informatory petition on 13.08.2024, explaining all the facts, the copy of which is marked as Annexure-4. During the course of investigation, no materials have collected which suggest the complicity of the petitioner in the crime and thus the police has issued notice under Section 35(3) of the BNSS. The petitioner submits that he bears fair antecedent and will fully co-operate in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that it is the



petitioner, who has taken money from the husband of the informant on the pretext of providing job and thereby defrauded her.

6. Having considered the submissions set-forth by the learned Advocate for the respective parties and taking note of the submissions aforementioned and the materials collected during the course of investigation, as also the informatory petition disclosing the entire facts, coupled with the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Chakia (Chakiya) P.S. Case No. 2 of 2025, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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