

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45532 of 2025

Arising Out of PS. Case No.-72 Year-2023 Thana- BAGHA District- West Champaran

Vishal Gupta @ Vishal Mohan Lal Gupta S/o- Mohan Gupta @ Mohan Lal Gupta Resident of village- Deoria Khas PS and PO- Deoria District- Deoria UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Milind Raj Dixit, Advocate
		Mr. M.P. Dixit, Advocate
		Mr. SK. Dixit, Advocate
		Mr. S.K. Chaubey, Advocate
		Mr. Punit Dixit, Advocate
For the Opposite Party/s :		Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 420, 467, 468, 471 and 34 of the Indian Penal Code.

3. The case of the prosecution is that by providing visa, the petitioner and one Abhishek Singh have promised the informant for eighteen persons. It is further alleged that this petitioner has taken Rupees two lakhs and fifty thousand in cash and Rupees four lakhs and thirteen thousand was sent on the mobile of Abhishek Singh. It is further alleged that neither the Visa was handed over nor the cash was being returned to the



informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR, it is clear that the only allegation against this petitioner is that, he has been handed over Rs. 2 lacs and 50 thousand in cash whereas the larger chunk was posted in the account of co-accused Abhishek Singh. Learned counsel for the petitioner has submitted that actually, he has not taken any cash and he is not indulged in this business. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 22.05.2025.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of regular bail. Learned counsel for the informant has submitted that from perusal of the diary, it is clear that the petitioner has taken Rupees two lakh and fifty thousand in cash and Rupees four lakh and thirteen thousand was sent in the account of Abhishek Singh. In para 115 of the diary, the informant has given his restatement and has stated that on the assurance of this petitioner, the amount was given to the petitioner and co-



accused Abhishek Singh.

6. From perusal of the diary, the allegation against the petitioner is that Rs. 2,50,000/- was given to him in cash. Except, the informant, there is no witness to support that cash of Rs. 2,50,000/- was given by the informant to the petitioner.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bagaha P.S. Case No. 72 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bagaha, West Champaran.

(Ashok Kumar Pandey, J)

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