

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53989 of 2025

Arising Out of PS. Case No.-442 Year-2023 Thana- CHHATAUNI District- East Champaran

Dhiraj Kumar @ Karan Kumar S/o Upendra Prasad @ Upendra Prasad Yadav
Resident of village -Mohadipur(mohaddipur), P.s.-Chiraiya, Distt.- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-08-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Chhatauni P.S. Case no.442 of 2023 registered for the offence punishable under sections 406, 420, 409 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that in a transaction of sale of immovable property he received Rs.40.5 lakhs in cash. He got in contact with the persons as descried in detail in the FIR for depositing the cash in the Axis Bank. It is stated that Abhishek Kumar an employee of the Axis Bank was asked to arrange for deposit of the cash in the Bank. The said Abhishek Kumar informed that Awanish Kumar would



get the amount deposited. Awanish Kumar demanded a sum of Rs.25,000/ and was paid Rs.18,000/ online. It is further stated that on carrying the total amount to the bank, he was informed that the amount could not be deposited. On the informant once again getting in touch with the Abhishek Kumar, the informant was made to talk to Dhiraj Kumar who demanded a sum of Rs.1.5 lakhs for providing them security. It is further stated that Dhiraj Kumar along with Badal Pandey and Bhardul Kumar proceeded on motorcycle. On being asked to stop the motorcycle, they moved into unknown lane. However, on seeing the police personnel the accused persons fled away. The informant states that the accused persons including the petitioner herein were making plans to embezzle the money being carried by the informant and for this reason he had been taken to an unknown place.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The material that has transpired in course of investigation has been dealt with in detail in the order of the learned trial below. At the outset it is submitted that no amount was looted from the informant. The case of the petitioner stands on a similar if not better footing of that of coaccused Dhiraj Kumar @ Desh



Bandhu Kumar and Bhardul Kumar @ Abhishek Kumar as also Badal Pandey who have been enlarged on bail vide common order dated 13.12.2024 and coaccused Awanish Kumar who has been enlarged on bail vide order dated 12.3.2024, both the orders having been brought on record as Annexure-P/2 series to this petition. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation, no amount having been looted from the possession of the informant and specially grant of bail to the above named four coaccused vide orders brought on record as Annexure-P/2 series together with the petitioner having no criminal antecedent, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Chhatauni P.S. Case no.442 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Chief Judicial Magistrate, East Champaran,
Motihari.

(Partha Sarthy, J)

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