

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50537 of 2025

Arising Out of PS. Case No.-2069 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Amar Singh @ Amar Kumar S/o Indradeo Singh R/o Village Flat No 601, 6th Floor, Bhuvneshwar Plaza, Station Road, Budha marg, P.S- Kotwali, District- Patna
 2. Nirmal Pratidaya, Infotech Private Limited through its Director Amar Singh @ Amar Kumar S/o Indradeo Singh R/o Village Flat No 601, 6th Floor, Bhuvneshwar Plaza, Station Road, Budha marg, P.S- Kotwali, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dilip Pandey S/o Late Krishn Murari Pandey R/o Central Colony, P.S. - Chandrapura, Distt.- Bokaro (Jharkhand), at present R/o vill - Vishunpura, P.O- Murika, P.S. - Sigori, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh
For the Opposite Party/s : Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 10-12-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 2069 (C) of 2024, disclosing offences under Sections 406, 323, 504, 506 of the Indian Penal Code.
3. As per the prosecution case, on 07.02.2024, Dilip Pandey filed a complaint before the Chief Judicial Magistrate, Patna. He stated that he works under the name M/s Ayush



Enterprises and regularly used the services of petitioner no. 1, who runs M/s Nirmal Pravidya Infotech Pvt. Ltd., for submitting online tenders. On 11.01.2024, the complainant asked the petitioner no. 1 to submit a tender for a construction work at Ayodhya Dham Railway Station, estimated at Rs. 10 lakhs. However, the petitioner no. 1 allegedly submitted the tender for Rs. 1 crore and as a result, an amount of Rs. 5,11,000/- was deducted. When questioned, the petitioner no. 1 told the complainant that due to a computer error, the amount had gone to another account and assured that the money would be returned within 15–20 days. When no refund was made, the complainant visited the petitioner no. 1 on 31.01.2024. At that time, the petitioner no. 1 allegedly refused to return the money, pushed him out of the office with the help of staff, and also snatched some of his documents.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case on the basis of mere suspicion. He next submits that the petitioners are engaged in the business of filling online tender/auction forms on behalf of interested persons for a professional fee and that the complainant was a regular customer availing such services. It is submitted that the



complainant has incorrectly alleged in the complaint petition that he requested the petitioners to submit an e-tender for a construction work at Ayodhya Dham Railway Station valued at Rs. 10,00,000/-. The petitioners clarify that the said work was not a tender but an e-auction for management and operation of a cloak room at Ayodhya Railway Station, having a duration of five years and no fixed estimated cost, as evident from the lot details. Learned counsel next submits that on 11.01.2024, at the complainant's express request and in his presence, petitioners submitted an e-auction bid of Rs. 1,10,00,000/-. In accordance with the terms and conditions of the Railway Board's Freight Marketing Circular No. 11/2022, 5% of the bid amount along with applicable charges was automatically deducted by the Railways from the complainant's bank account once the bid was accepted. Learned counsel further submits that the complainant refused to take up the work after the auction, resulting in deduction of Rs. 5,11,000/- from his account, which was duly credited to the Railway Department. Learned counsel submits that no part of the said amount was received or appropriated by them, as corroborated by the complainant's bank statement dated 12.01.2024 showing debit towards the Railways.

5. Taking into consideration the submission made



by the petitioner and the fact that deducted money was not credited in the petitioner’s account, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Patna, in connection with Complaint Case No. 2069 (C) of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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