

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55234 of 2025

Arising Out of PS. Case No.-311 Year-2015 Thana- CHAPRA TOWN District- Saran

Tahir @ Tahir Hussain son of Mohammad Khalil Ansari Village -Sadhpur P.S-
Garkha District -Saran At Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramesh Kumar Rai son of Late Laldas Rai Village, Post and PS- Garkha,
Dist- Saran at Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhileshwar Pandey, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-08-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Chapra Town P.S. Case no. 311 of 2015 registered under sections 420 and 406 of the Indian Penal Code.

3. As per the prosecution case, the informant states that it was at the instigation of the petitioner and others that the informant along with the witnesses invested a total sum of Rs. 40 Lakhs in a company. The accused persons including the petitioner herein, cheated them of the said amount. The letter of allotment with respect to the private placement of shares in favour of the informant and others have been brought on record



as Annexure- 3 series to the petition.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He had absolutely no role to play so far as advising the informant with respect to investing the amount in the company is concerned. It was the petitioner who had himself invested amounts in the company and has sustained loss. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P for the State. It is submitted that in a case registered in the year 2015 the petitioner continued to abscond, however, he was incorrectly granted the benefit of section 41(A) of the Cr.P.C. by the Investigating Officer. However, still the petitioner did not comply with the undertakings given by him as per his bond under section 41(A) of the Cr.P.C. The allegations against the petitioner are serious in nature in so far as he is said to have defalcated a total sum of Rs. 40 Lakhs belonging to the informant and others.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R. together with the case/FIR having been registered in the year 2015, in the facts of the case, the Court is



not inclined to enlarge the petitioner on anticipatory bail and the same is rejected.

7. The petitioner is directed to surrender in the learned Court below within a period of four weeks.

8. In case the petitioner surrenders within the aforesaid period and prays for regular bail, the same shall be considered on its own merit without being prejudiced by this order of rejection.

(Partha Sarthy, J)

Sauravkrsinha/
Bibhash-

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