

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70108 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- Bathnaha District- Araria

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Basant Kumar @ Basant Pandey @ Basant Kumar Pandey Son of Late Shambhu Nath Pandey Resident of Vill. - Duba, P.S - Darulli, Dist. - Siwan, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Serajjudin Kasmi Son of Wali Ahmad Resident of Nala Market, West Patel Nagar, P.S. - West Patel Nagar, Dist. - New Delhi. Presently R/o - Chokarwa, P.S. - Narpatganj, Dist. - Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-10-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in case registered for the offences punishable under Sections 316(2), 318(4), 61(2), 338, 336(3), 340(2), 352, 351(2)(3) of the Bharatiya Nyaya Sanhita.

3. Prosecution case, in brief, is that all the F.I.R. named accused persons, including this petitioner, started running hospital of the informant after gaining his trust in the year 2023. It is alleged that these petitioners fraudulently opened new account in the name of the hospital in question without knowledge and consent of the informant and



misappropriated entire income of the hospital since then.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner is neither employee nor signatory of any bank transaction of the alleged hospital. As a matter of fact, role of the petitioner is that of an advisor for getting the hospital tagged or tied up with the medical insurance companies for cashless treatment of patients. No money was transferred into the bank account of this petitioner and entire transaction has been made through the bank account of the hospital. Petitioner claims clean antecedent.

5. However, learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioner is named in the F.I.R. with specific accusation that he in connivance with other named accused persons cheated the informant by opening new account in the name of hospital without knowledge of the informant and made transactions of Rs. 8 lacs.

6. Considering the nature of accusation, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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