

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68952 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- NUAOW District- Kaimur (Bhabua)

1. Dilip Kumar Singh Son of Dal Singar Singh Resident Of Village - Garrah, P.S. - Nuaon, Dist. - Kaimur (Bhabhua).
2. Guria Devi Wife of Dilip Kumar Singh Resident Of Village - Garrah, P.S. - Nuaon, Dist. - Kaimur (Bhabhua).
3. Krishan Murari Singh Son of Dal Singar Singh Resident Of Village - Garrah, P.S. - Nuaon, Dist. - Kaimur (Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Kumar Chandra Shekhar
For the Opposite Party/s :	Mr.Tapeshwar Sharma, APP
	Mr. Manish Kumar, Advocate
	Mr. Rajni Kant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 26-09-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 318(4), 316(2), 3(5) and 316(5) of the Bharatiya Nyaya Sanhita.
3. The learned counsel appearing on behalf of the petitioners submits that petitioner No. 1 has antecedent of one case and Petitioner Nos. 2 and 3 are persons with clean antecedent. It is next submitted that petitioners had earlier moved before this court seeking anticipatory bail by filing Cr



Misc No. 49476 of 2025 and the same was allowed by an order dated 11-8-2025 in terms of order dated 13-2-2024 in Cr. Misc No. 3536 of 2024 (Naushad Ansari Vs. the State of Bihar) as the offences for which the instant FIR was instituted carries punishment of seven years and less, but then it is submitted that when petitioners filed a representation in terms of the order dated 11-8-2025 in Criminal Miscellaneous No. 49476 of 2025 before the concerned Superintendent of Police, when he came to know that based on supervision report, Section 316 (5) B.N.S. was also added in the FIR, which carries punishment of more than seven years, as such the petitioners were not given notice under Section 35 BNSS.

4. The learned counsel for the petitioners next submits that from perusal of the allegations as alleged in the FIR, it would manifest that informant alleges that Dilip and his brother Krishna in the year 2002 came to his house and houses of other villagers and disclosed that they work for Sahara India and if money is invested through them in share market, they will give better returns, accordingly informant and villagers started giving money to the accused and even money was credited in the accounts of wife of Dilip, thereafter the accused started giving returns to some investors, while some investors did not receive



any returns, hence informant visited their house on 15-3-2025 along with villagers, but then accused were not present in the house, hence alleges that in this manner, the accused persons misappropriated huge amount of money running in crores of innocent investors.

5. The learned counsel for the petitioners submits that from perusal of the allegations as alleged in the FIR, it would manifest that the allegations are vague and cryptic. It is further submitted that though in the FIR, it is alleged that informant along with villagers started investing in Sahara since 2002, but then the FIR came to be instituted in the year 2025. It is next submitted that it is also not clear from the FIR that whether the investors received any returns on their investment made in 2002, 2003, 2004, 2005, 2006, etc. or not. It is also submitted that Petitioner No. 1 was an agent of Sahara India Limited and on receipt of money from the applicants under different schemes deposited in the account of Sahara India Financial Corporation and other cooperative societies and the Corporation issued bond etc. in the name of the applicants, similarly the amount received from the applicants were also deposited in the account of Humara India Credit Co-operative Society Limited by the Petitioner No. 1. It is next submitted that Petitioner No. 2 was



appointed as field worker in Sahara India Financial Corporation a non-banking company, in the year 2002. It is further submitted that it is a known fact that Sahara is facing liquidation, as such problems arose, but then petitioners are not criminals.

6. The learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that the allegation in the FIR is vague and does not disclose with clarity that as to whether they got return on invested money or not ever. The learned APP submits that in the event if the privilege of anticipatory bail is granted to the petitioners, they may abscond, on which the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned trial court where
the case is pending/successor court in connection with Nuaon
P.S. Case No. 40 of 2025, subject to the conditions as laid down
under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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