

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75000 of 2025

Arising Out of PS. Case No.-651 Year-2023 Thana- GAYA KOTWALI District- Gaya

1. Dhananjay Kumar son of Late Premchand Gupta Village -Mir Safayat Road, Near Post office- Kabirbag, P.S -Kotwali District -Gaya
2. Anurag Basu Son of Santosh Kumar Gupta @ Santosh Prasad Village -Kabirbag Makhlotganj, P.S -Kotwali District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Kamal Kumar Sinha, Advocate
For the State	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Kamal Kumar Sinha, learned counsel for the petitioners and Mr. Jagdhar Prasad , learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Kotwali P.S. Case No. 651 of 2023, F.I.R. dated 18.11.2023 registered for the offences punishable under Sections 406, 420, 34 of the Indian Penal Code.

3. As per the prosecution case, the father of the informant had died in the year 2019 and it is alleged that his sister, namely, Neha Kumari, his brother and nephew have all embezzled money from the account of his late father. It has further been alleged that they had opened a forged account in



the name of the informant's late father and fraudulently made certain transactions.

4. Learned counsel for the petitioners submits that the petitioner no. 2 having clean antecedent and petitioner no. 1 carries two more cases other than the present one in which he is on bail in the pending matters and both the cases have been instituted by brother and sister-in-law of the petitioner. It appears from the F.I.R. itself that the date of occurrence as alleged in the F.I.R. is 13.11.2019 but the present F.I.R. was instituted on 18.11.2023 after delay of more than four years without any evidence which suggests that the petitioners were not involved in the present crime in question. He further submits that co-accused person, namely, Neha Kumari @ Neha Kumari Gupta sister of the petitioner no. 1 against whom the similar allegation has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 26.09.2025 passed in Cr. Misc. No. 69227 of 2025.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the F.I.R was instituted after delay of four years and similar situated co-accused person has been granted



anticipatory bail by a Coordinate Bench of this Court, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 651 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at



any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

U		T	
---	--	---	--

