

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78075 of 2024**

Arising Out of PS. Case No.-53 Year-2024 Thana- AKBARNAGAR District- Bhagalpur

Tehzeeb Ansari Son of Shahabuddin village- Bharwaliya, Buzurg, Siddharth  
Enclave SO, Gorakhpur, Uttar Pradesh, 273017

... .. Petitioner

Versus

1. The State of Bihar
2. Md. Ajmal, S/o- Kutubuddin R/V- alamgirpur, po and ps- akbarnagar, distt-  
bhagalpur

... .. Opposite Party

**Appearance :**

|                            |                                |
|----------------------------|--------------------------------|
| For the Petitioner/s :     | Mr.Vijay Kumar Sinha, Advocate |
| For the Opposite Party/s : | Mr.Raj Kishor Singh, APP       |
|                            | Ms.Shweta, Advocate            |
|                            | Mr.Saurav Kr. Singh, Advocate  |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

8      21-07-2025                      Heard Mr. Vijay Kumar Sinha, learned counsel  
  
appearing on behalf of the petitioner and learned A.P.P. for  
  
the State duly assisted by Mr. Saurav Kumar Singh, learned  
  
counsel for the opposite party no. 2.

2. Petitioner seeks bail in connection with Akwar  
  
Nagar P.S. Case No. 53 of 2024 registered for the offences  
  
under Sections 419, 420, 467, 468, 471 of the Indian Penal  
  
Code, pending in the court of learned A.C.J.M.-1, Bhagalpur.

3. The accused/petitioner is named in the First  
  
Information Report and is in custody since 09.05.2024.

4. As per FIR, petitioner cheated the informant and



his friend for a sum of Rs. 3,10,000/- for extending help to get job at Dubai Airport, but for the said purpose instead to provide employment Visa for two years, visit Visa was procured by the petitioner firm namely M/s Sky Travels Agency, having its office at Gorakhpur (U.P.).

5. It is submitted by learned counsel appearing for the petitioner that all documents in terms of promise was handed over to the informant and his friend, where initially, it was visit Visa, and after getting employment, same would be changed to employment Visa as per existing rules.

6. It is submitted that admittedly as per FIR Visa was sent to the informant on his Whatsapp. It is pointed out that merely as Visa was not mentioning that it was in connection with employment, therefore, informant taking in good faith called the petitioner to Bhagalpur and was got arrested there on 09.05.2024, and since then, he is in custody.

7. It is submitted by learned counsel that petitioner found involved in six (6) cases of similar nature, but in all the cases, he is on bail. It is pointed out that petitioner deserves



bail and merely on the basis of criminal antecedents, same could not be denied.

8. In support of his submission, learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari Vs. State of U.P. and Another** reported in **(2020) 11 SCC 648**.

9. Learned A.P.P. for the State duly assisted by Mr. Saurav Kumar Singh, learned counsel for the informant could not disputed the submissions as advanced by learned counsel for the petitioner. Learned counsel submitted that instead of work Visa/employment Visa, visit Visa was procured by the firm of the petitioner contrary to the promise. It is fairly conceded by learned counsel for the informant that there was no any settled terms and conditions in writing between the parties.

10. Considering the factual submission and by taking note of the fact as firm of the petitioner managed a Visa for the informant and his friend, where dispute *prima facie* appears only for the reason that same was not issued as work Visa/employment Visa, coupled with the fact that with



aforesaid allegation petitioner remains in custody for more than one year, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1, Bhagalpur/concerned court, in connection with Akwar Nagar P.S. Case No. 53 of 2024, subject to the condition as laid down under Section 437 (3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

**(Chandra Shekhar Jha, J)**

Rajeev/-

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