

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74178 of 2025**

Arising Out of PS. Case No.-152 Year-2025 Thana- SACHIVALAYA District- Patna

Abni Kumar Dutta @ Abni Dutta Son of Late Bipin Chandra Dutta Resident  
of Village - Khesar, P.S.- Belhar, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr.Vinay Ranjan, Advocate        |
| For the State        | : | Mr.Nitya Nand Tiwary, APP        |
| For the Informant    | : | Mr.Sanjeet Kumar, Advocate       |
|                      |   | Mr.Pravashankar Mishra, Advocate |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      17-11-2025                      Heard Mr. Vinay Ranjan, learned counsel for the  
petitioner, Mr. Nitya Nand Tiwary, learned Additional Public  
Prosecutor for the State and Mr. Sanjeev Kumar, learned  
counsel for the informant.

2. The petitioner is apprehending his arrest in  
connection with Sachiwalaya P.S. Case No. 152 of 2025, F.I.R.  
dated 21.07.2025 for the offences punishable under Sections  
316(5), 318(4), 336(3), 338, 61(2) of the Bhartiya Nyay Sanhita,  
2023.

3. As per the First Information Report, the petitioner,  
Abni Kumar Dutta, worked as an accountant at the Hotel  
Chanakya, Patna (a unit of Sujata Hotel Pvt. Ltd.) but suddenly  
went absent from duty on 02.06.2025 without prior notice or



permission. When hotel authorities attempted to contact him, his mobile phones were switched off, and his family members were also unreachable. Subsequently, an internal audit revealed discrepancies in the cash collection accounts, where funds received from guests were allegedly not deposited in the bank. Upon verification, it was suspected that the petitioner, along with co-accused Subodh Rawat, had misappropriated over ₹20,00,000/- (Rupees Twenty Lakh). It is further alleged that after issuance of show-cause notices, Subodh Rawat submitted his resignation, which the hotel did not accept. It is further alleged that Abni Kumar Dutta (petitioner), in connivance with Subodh Rawat, committed criminal breach of trust, cheating, misappropriation of company property, and forgery of records/electronic documents, thereby causing wrongful loss to the company.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from perusal of the FIR that there are vague allegations against the petitioner and co-accused person, namely, Subodh Rawat has misappropriated ₹20,00,000/- (Rupees Twenty Lakh) from the hotel in question and after his retirement the management has re-employed him



and co-accused person, namely, Subodh Rawat against whom there is similar allegation has been granted anticipatory bail vide order dated 08.10.2025 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 71277 of 2025.

5. The learned Additional Public Prosecutor for the State as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner is named in the FIR and there is direct allegation against the petitioner in the FIR.

6. Considering the aforesaid facts and circumstances, co-accused person namely Subodh Rawat has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 08.10.2025 passed in Cr. Misc. No. 71277 of 2025 and the petitioner has clean antecedent, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-XXXVI, Patna in connection with Sachivalaya P.S. Case No. 152 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section



482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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