

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86865 of 2024

Arising Out of PS. Case No.-644 Year-2024 Thana- KADAMKUAN District- Patna

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1. Pragya D/O Brajendra Kumar R/O Mohalla- Pathal Gali, Kacchi Talab, Saristabad Road, P.S.- Gardanibagh, District- Patna.
 2. Harsh Kumar S/O Brajendra Kumar R/O Mohalla- Pathal Gali, Kacchi Talab, Saristabad Road, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dr. Brij Lal S/o- Dr.R.P. Lal R/o- Arya Kumar Road, Rajendra Nagar P.O.- Rajendra Nagar, P.S.- Kadamkuan, Patna-16

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Shankar Upadhyay, Adv.
For the Opposite Party/s	:	Mr. Raj Ballabh Singh, APP
For the Informant	:	Mr. Rajeev Kumar Singh, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 9 01-09-2025 1. Heard learned counsel for the petitioners and learned APP for the State and the learned Senior counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 316(5)(2), 318(4), 336(3), 340(2) and 3(5) of BNS, 2023.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner No. 1 is a woman aged about 19 years and petitioner No. 2 is a young boy aged about 22 years. It is next submitted that petitioner No. 1 presently is pursuing her studies from K.I.I.T



Orissa and Petitioner No. 2 has completed his engineering from K.I.I.T, Orissa. It is further submitted that the informant alleges that Brajendra Kumar along with his wife came to his house about 15 years back, the wife of Brajendra was an agent of ICICI Prudential Insurance Company, further informant took insurance in the name of his two daughters and wife and kept paying the premium, further Brajendra thereafter approached the informant seeking a job, the informant employed Brajendra as an employee. It is next alleged that Brajendra thereafter hatched a conspiracy and changed the informant's mobile number and the mobile number of the policyholders by forging their signature and linked the mobile number to different account numbers, as recorded in the FIR and withdrew the maturity amount along with other amounts running in crores. It is further alleged that Brajendra agreed to return an amount of Rs. 2 crores but thereafter fled.

4. The learned counsel appearing on behalf of the petitioners next submits that petitioners are children of Brajendra. It is submitted that from perusal of the allegation as alleged in the FIR, it would manifest that children of Brajendra have been implicated in the case only for the reason that they are children of Brajendra. It is also submitted that when



insurance was taken by the informant from the wife of Brajendra i.e. mother of the petitioners, perhaps by that time petitioner No. 1 was not even born and petitioner No. 2 was a kid aged about 3-4 years. It is next submitted that Brajendra and his wife were taken in custody and Brajendra approached this Court seeking regular bail by filing Cr. Misc No. 56870 of 2025. It is submitted that Brajendra was granted the privilege of provisional regular bail by an order dated 8-8-2025 in Cr. Misc No. 56870 of 2025 by a learned Co-ordinate Bench, as he had agreed to return an amount of Rs. 3 crores to the informant. It is further submitted that provisional bail granted to Brajendra was valid till 28th August 2025 and the same was extended till 12.09.2025. It is further submitted in the event if Brajendra does not return the amount as agreed, his provisional bail will be cancelled. It is next submitted that petitioners have been implicated in the case for the reason that some properties were bought in their name by their father and some amount was also credited in their account. It is further submitted that children are not earning and are completely dependent on their parents and were also unaware of the fact that their father by cheating the informant has amassed wealth and created property and bank deposit in their name. It is basically submitted that children are



innocent.

5. The learned APP for the State and the learned Senior counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that the thrust of the allegation is against Brajendra and his wife.

6. 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) 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 Kadamkuan P.S. Case No. 644 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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