

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4674 of 2026**

Arising Out of PS. Case No.-657 Year-2025 Thana- AURANGABAD TOWN District-  
Aurangabad

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Syed Wahid Warsi Son of Haji Nezamuddinn Warsi Resident of Mohalla -  
Pathan Toli, Police Station - Aurangabad Town, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Adil Abbas

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 3      23-03-2026                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 316(2),  
316(5), 318(4), 338, 336(3) and 61(2) of the B.N.S., 2023.
3. The Investigating Officer of the case, in compliance  
of the order dated 16.03.2026 is present in the Court.
4. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case and the informant alleges  
that she is an illiterate lady and her sons were outside Bihar and  
she has opened an account with SBI and deposited an amount of  
Rs.95,000/- received from Jiwika over a prolonged period of  
time from CSP of Yogendra and petitioner, further when she



enquired from the Bank about her balance, she was informed that there is no money in the account, thus she showed receipt issued by the CSP to the Bank, on which, she was informed that receipts are forged, thus she confronted Yogendra, on which, Yogendra accepted that he has cheated and later closed the CSP and fled, further he has cheated other customers also.

5. Learned counsel submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that thrust of the allegation is against Yogendra. It is next submitted that petitioner was given license to run the CSP and he appointed Yogendra to manage the CSP and the thrust of the allegation in the instant FIR is also against Yogendra, as informant alleges that she used to give money to Yogendra for crediting in her account, but then Yogendra instead of crediting the money in her account, misappropriated it and when he was caught, he accepted his guilt, it is thus submitted that merely because the license of the CSP is in name of the petitioner that in itself should not be a justification for sending the petitioner to jail when he is not involved in the occurrence and Yogendra has accepted his guilt.

6. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner based on instruction of the Investigating Officer. It is submitted that Yogendra was arrested and he in his confessional statement stated that he misappropriated the amount at the behest of the petitioner, on which, the learned counsel appearing on behalf of the petitioner submits that confession in police custody does not have any evidentiary value. It is also submitted that it is not alleged by the informant that she gave money to Yogendra at the behest of the petitioner. At this stage, the learned APP submits that if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond or try to tamper with the evidence, on which, the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

7. After hearing the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five 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 Town P.S. Case No.657/2025, subject to the conditions as laid down



under Section 482(2) B.N.S.S.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. The personal appearance of the Investigating Officer is dispensed with.

**(Satyavrat Verma, J)**

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