IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1641 of 2026

Arising Out of PS. Case No.-254 Year-2022 Thana- VAISALI COMPLAINT CASE District-Vaishali

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Subhash Kumar @ Subhash Chaudhary S/o Late Ramprakash Choudhary R/o village- Bharara near Sharada Chowk, PS- Muffasil, District- Begusarai

... ... Petitioner/s

Versus

1. The State of Bihar
2. Ravi Kumar S/o Bipin Kumar Gupta R/o village- Prataptand, PS-Bhagwanpur, District- Vaishali

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bela Singh, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh, APP
For OP 2	:	Mr. Manish Chandra Gandhi, Advocate
		Mr. Himanshu Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

6 22-06-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under section 420, 406 of the Indian Penal Code.

3. As per complaint petition , the applicant along with his real brother used to run a consulting center named MBC Group in Kumhrar Patna and used to get the students enrolled in good institutes of Hindustan for training in ANM, GNM, DLED and B. Ed. The complainant was also trying for GNM course for his brother, sister and wife, in this connection he went to the

office of the applicant's consulting center located in Kumhrar Patna and talked to him. GNM course It was decided that Rs. Three lakh will be paid to the participant for enrollment and each participant will have to deposit Rs. One Lakh and the remaining amount will be given after registration . The applicant/complainant, believing the words of the applicant gave Rs. 50,000/- to the applicant on 20.03.2021 and Rs, 1,00,000/- from the account through NEFT on account No. 043001503430 on 26.03.2021 and the applicant/complainant came to the residence of the applicant complainant and took Rs. 1,50,000/- in two installments, but later neither got him enrolled in the GNM course nor returned the Rs. 3,00,000/-.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has falsely been implicated in this case emphasizing that he never received any money from the complainant either in cash or through his bank account. It is further contended that the alleged ICICI Bank account (No. 043001503430), into which the complainant claims to have transferred Rs. 1,00,000 via NEFT, does not belong to the petitioner. As a matter of fact, the petitioner neither operated any consultancy office in Patna nor collected money from anyone under the pretext of securing admissions in different colleges.

Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposed the prayer for bail and submitted that there are specific and serious allegations against the petitioner that he along with other co-accused persons cheated and defrauded the complainant of a substantial sum of Rs. 3,00,000/- under the false pretext of securing professional course admissions. It is further submitted that the defense raised by the petitioner is a matter of trial and cannot be accepted at this stage, especially given the clear assertion by the complainant regarding the specific dates and modes of payment, including a direct NEFT transfer of Rs. 1,00,000/- into the designated bank account, which clearly points toward the complicity of the petitioner in the alleged crime .

6. Considering the nature of accusation , materials available on record and other circumstances of the fact, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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