IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3846 of 2026

Arising Out of PS. Case No.-421 Year-2025 Thana- PATLIPUTRA District- Patna

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Avinash Kumar S/o Suresh Prasad @ Suresh Prasad Jaiswal Resident of - Magadh Colony, Kurji Sadakat Ashram, P.S - Digha, District - Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Navin Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, A.P.P.
For the Informant	:	Mr. Apurv Harsh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

7 29-06-2026 Heard learned counsel for the petitioner, informant and the State.

2. Petitioner apprehends arrest in Patliputra P. S. Case No. 421 of 2025 registered for the offences punishable under Sections 318(4), 316(2), 336(3), 338, 340(2), 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita.

3. It is alleged that this petitioner along with other accused persons defalcated the amount of Rs. 6.60 crores by issuing fake GST bills and using forged documents.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner along with his brother is 50% shareholder in Hopecon Infra Projects Pvt. Ltd. where there is ongoing dispute regarding

shareholding and present F.I.R. has been instituted by one of the Directors of the company to coerce petitioner and his brother with sole intention to usurp the entire company. It is further submitted that in every financial year, audit of the company takes place by an independent auditor in which no irregularities were found and petitioner has falsely been implicated in this case with an ulterior motive.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application and submitted that petitioner is key conspirator and principal offender who while occupying a position of trust committed well-planned act of criminal breach of trust, cheating, forgery and economic fraud. Petitioner transferred Rs. 6.60 crores from M/s Hopecon Infra Projects Pvt. Ltd. to M/s Hope Traders, a proprietorship of petitioner with sole intention of misappropriating the goodwill and reputation of the company of informant. Petitioner raised 857 invoices in which 583 invoices were for the month of October 2024 and 274 invoices raised in January 2025, filed in the month of February 2025 amounting to Rs. 5.84 crores against M/s Hopecon Infra Pvt. Ltd. It is only after the intervention of the informant that those GST invoices were recalled by the petitioner firm citing

inadvertent mistake. It is further submitted that petitioner is a habitual offender and has got four criminal antecedents.

6. Considering the nature of accusation and criminal antecedents, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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