

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4198 of 2026**

Arising Out of PS. Case No.-638 Year-2015 Thana- BETTIAH CITY District- West  
Champaran

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Anil Kumar @ Anil Kumar Gupta @ Anil Gupta Son of Jamadar Prasad  
Resident of village- Dumari, Ps- Yogapatti, Dist- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |   |                                                                                                                                                                                               |
|----------------------------|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. Ramakant Sharma, Sr. Advocate<br>Mr. Rakesh Kumar Sharma, Advocate<br>Mr. Ravi Ranjan Kumar, Advocate<br>Mr. Mayank Raj, Advocate<br>Mr. Rahul Singh, Advocate<br>Mr. Adarsh P., Advocate |
| For the Opposite Party/s : |   | Mr. Jitendra Kumar Singh, APP                                                                                                                                                                 |
| For the Informant          | : | Md. Sufiayn, Advocate<br>Miss Tooba Hera, Advocate                                                                                                                                            |

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      28-01-2026                      Heard learned senior counsel appearing on behalf of  
  
the petitioner and learned counsel for the informant as well as  
  
learned APP for the State.

02. In the present case, the petitioner seeks bail in  
connection with Bettiah Town P.S. Case No. 638 of 2015  
registered for the alleged offences under Sections 420, 406, 467,  
468, 471, 384 and 506 of the Indian Penal Code.

03. As per prosecution case, the petitioner applied in  
the name of the complainant/informant for allotment of liquor  
shop and started doing business in the name of the informant,  
though there was no knowledge to the informant. However, as



the petitioner did not pay the taxes, notice was received and the informant came to know about the fraud being committed against him.

04. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Prior to lodging of the complaint, the petitioner gave a notice to the informant for return of money deposited on behalf of the informant by this petitioner to the authority. When the informant did not return the money, the petitioner filed Complaint Case No. 1965 of 2015 against the informant. In order save his skin, the informant lodged this false case. The informant himself participated in all process before the Excise Department to obtain the license and when the tax of the department becomes due against him, the informant hatched up this plan to grab the entire money of the department as well as Rs. 15,16,800/- of the petitioner. The informant has, thereafter, with similar allegation lodged Bettiah Town P.S. Case No. 252 of 2022 after seven years of occurrence stating another story to implicate this petitioner. Learned senior counsel further submits that the petitioner is in custody since 20.11.2025 and charge sheet has been submitted. The petitioner is having antecedent of 25 cases, out of which, final forms have been



submitted in 10 cases and the petitioner has been acquitted in three cases and is on bail in other cases.

05. Learned APP for the State as well as learned counsel appearing on behalf of the informant vehemently opposes the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner used forged and fabricated documents of informant for getting license of the liquor shop and left the liability of payment of taxes upon this informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the earlier lodged complaint case of the petitioner and also considering the improbable nature of allegation and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah/court concerned in connection with Bettiah Town P.S. Case No. 638 of 2015, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

Ashish/-

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