

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29316 of 2026

Arising Out of PS. Case No.-414 Year-1997 Thana- KOTWALI District- Munger

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1. Vinay Kumar @ Vinay Kumar Singh S/o Paras Singh R/o Village- Kamardih, PS- Shambhuganj, Distt- Banka
 2. Uma Devi @ Uma Kumari W/o Vinay Kumar @ Vinay Kumar Singh R/o Village- Kamardih, PS- Shambhuganj, Distt- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gautam Kumar S/o Late Bal Krishn Sinha R/o vill - Shastri Nagar, P.s.- Kotwali, Distt.- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shivendra Kumar Sinha, Adv. Mr. Mukesh Kant, Adv. Mr. Ranjeet Patel, Adv. Mr. Avnish Kumar Singh, Adv.
For the Opposite Party/s :		Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners are apprehending their arrest in connection with Kotwali P.S. Case No. 414 of 1997 dated 07.08.1997 registered for the offence punishable under Sections 420, 468, 120(B) and 384 of the I.P.C.

3. As per prosecution case, the accusation against the petitioners is of opening a private banking institution and collecting money from the Informant and others by luring them with promises of high profits.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. Counsel for the petitioners, by referring to the statement made in the instant anticipatory bail petition, submits that for same and similar allegation, the petitioners were also implicated in Kotwali P.S. Case No. 349 of 1997, which is said to have been registered on 08.07.1997, in which the petitioners were also made accused and have been extended bail and, thereafter, again for the same allegation, the instant case has been registered in which the petitioners are seeking anticipatory bail. It is further submitted that after having secured bail in the first case, the petitioners were never called for by the police in the subsequent case for all these thirty years and has placed reliance on judgment rendered in the case of ***Gursewak Singh Vs. State of Punjab [SLP (Crl.) No. 11234 of 2025]*** wherein it has been held that for four years, if the accused has not been called in question for participating in the trial, there may not be any requirement for calling such accused to participate in the investigation. At this stage, counsel for the petitioners submits that he would be cooperating with the investigation and they will participate in the investigation if the petitioners are put on trial. It is further submitted that the statement with regard to the



processes having been issued under Section 82 and 83 of the Cr.P.C., it is submitted that no summons were issued received by them and without following the due process of law, the petitioners have been declared absconder.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Having heard learned counsel for the parties and considering the fact that for same and similar allegation, the petitioners have already been extended privilege of anticipatory bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Kotwali P.S. Case No. 414 of 1997, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions;

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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