IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.45722 of 2026

CNR No. BRHC010621462026

Arising Out of PS. Case No.-52 Year-2026 Thana- GANDHIMAIDAN District- Patna

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Prem Kumar Singh, S/O Bashishth Narayan Singh, R/O Vill.- Parsagarh Dakshin Tola, Post- Parsagarh, P.S- Ekma, Distt Saran at Chapra, Bihar-841220

... ... Petitioner/s

Versus

1. The State of Bihar
2. Nitin Ranjan S/o late Prem Shankar Sinha Resident of Bijoli Shyama Apartment Flat no. 203Gorakh Nath Path Boring Road Patna
3. Jai Vardhan Srivastava S/o Late Daya Shankar Srivastava Resident of state bank officers colony kali mandir road Hanuman nagar Patna

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amit Shrivastava, Sr. Advocate
	:	Mr. Sanjeev Kumar, Advocate
	:	Mr. Girish Pandey, Advocate
For the Informant	:	Mr. Ajay Mishra, Advocate
	:	Mr. Amritesh Kumar Singh, Advocate
For the State	:	Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 18-11-2026 Heard the parties.

2. The petitioner seeks bail in connection with Gandhi Maidan P.S. Case No. 52 of 2026 registered for the offence under Sections 316(2), 318(4), 336(3), 338 and 3(5) of the B.N.S., 2023.

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3. The petitioner is named in the F.I.R. and is in custody since 08.04.2026.

4. The allegation against the petitioner and other named co-accused persons is to cheat the informant and others by refusing the grant the benefit of franchise of M/S Washing Express after receiving required considerations from the informant and others and thus cheated total of Rs. 1,85,76,000/-.

5. Mr. Amit Shrivastava, learned senior counsel appearing on behalf of the petitioner submitted that petitioner was falsely implicated in present case despite allegation of inducement, which is specifically available against co-accused Rahul Kalra and Anil Kumar Kalra in terms of FIR. It is pointed out that this petitioner was one of the director of the company named M/S Washing Express. It is further submitted that the said company was not arrayed as an accused through present FIR, thus, by making the allegations non-convincing on its face. In support of this submission, Mr. Shrivastava, relied upon the legal report of Hon'ble Supreme Court as available through ***Manjula***

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Kapoor Vs. The State of Himachal Pradesh reported in ***2026 SCC Online SC 1521***.

6. It is further argued that the dispute appears commercial in nature and therefore, the lodging the criminal case against the petitioner is unoccasioned and unwarranted. It is also pointed out that taking note of all such aspects in a similarly situated FIR, lodged by other informant against this petitioner, the learned co-ordinate bench of this Court granted the privilege of bail to the petitioner through Criminal Misc. No. 63045 of 2026 dated 01.10.2026, Criminal Misc. No. 49340 of 2026 dated 25.09.2026 and Criminal Misc. No. 48976 of 2026 dated 22.07.2026.

7. In this context, it is also submitted by Mr. Shrivastava, that the allegation of inducement is against the main co-accused Rahul Kalra and Anil Kumar Kalra which was also observed by Hon'ble Supreme Court while granting bail to this petitioner through SLP Criminal No. 19497 of 2026 dated 06.11.2026 and therein also considered the bail granted to the petitioner by this High Court as submitted

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aforesaid.

8. While concluding the argument, it is submitted that petitioner found involved in five more criminal cases, where he is on bail related with same allegation and moreover, investigation of this case has already completed, for which charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

9. Heard learned APP for the State and Mr. Ajay Mishra, learned counsel for the informant opposes the prayer for bail of the petitioner.

10. In view of aforesaid facts and submission and by taking note of fact as dispute *prima facie* appears commercial in nature, where alleged company *prima facie* also not appears implicated through FIR as discussed aforesaid, coupled with the fact that in other similarly alleged matter, learned co-ordinate benches have already granted bail to the petitioner, and further investigation of this case has already completed, wherein the petitioner remains in custody since 08.04.2026, accordingly petitioner above-named, is directed to be released on bail in connection with

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Gandhi Maidan P.S. Case No. 52 of 2026 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

Anjali/-

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