

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47777 of 2026

Arising Out of PS. Case No.-375 Year-2023 Thana- COMPLAINT CASE - BENIPATTI
District- Madhubani

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Vikram Singh Gurjer @ Vikram Singh Gurjar Son of Ram Singh Gurjar
Resident of Rampura, P.O.- Rampura Beri, P.S.- Hameerwas, District - Churu,
Rajasthan - 331301.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Laldeshwar Yadav Son of Suvidh Yadav Resident of Gram - Akharhar Ghat,
Post - Saharghar, P.S.- Saharghat, Dist.- Madhubani, Bihar - 847308.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Kumar, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-07-2026 Heard learned Counsel for the petitioner and

learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Madhubani Complaint Case No. 375 of 2023, under Sections 406, 415, 417, 418, 420 and 504/34 of the Indian Penal Code, 1860, in which cognizance has been taken against the present petitioner under Sections 420 and 504 of the Indian Penal Code vide order dated 03.06.2025.



3. Allegation against the petitioner as per the complaint is that the petitioner is the Chartered Accountant of the said company who has entered into an agreement with the complainant (O.P. No.2) for extracting the soil from the land of different farmers. The price which was to be paid to the farmers has been described in Paragraph-3 and in the complaint case, it has been alleged that in between 2021-22 about rupees three lakhs have been paid to the complainant through bank account transfer as well as cash but as per the complaint Rs. 43,000/- and Rs. 42,900/- under two different modes was not paid, it is due to this reason the complaint case has been lodged against the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the said complaint has been filed on 08/09/2023. Counsel submits that the complainant has entered into a settlement on 23/07/2022, according to which only Rs.30,000/- was left with the petitioner. Counsel submits that thereafter the company through its HDFC bank account has paid the said Rs.30,000/- in his account on 04/08/2022 and Rs.10,000/- on 06/08/2022, photo-copy of the account statement is attached with the bail application. Counsel for the petitioner submits that



there is no due of the petitioner but with a view to illegal extraction, this false case has been filed against the petitioner. Counsel submits that the criminal antecedent of the petitioner is clean. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that from the statement of account and the settlement paper, it transpires that the payment has been made.

7. After hearing the parties and perusal of the document, this Court is satisfied that the settled amount has been paid but this Court is very much surprised that Chartered Accountant of a company has nothing to do with day today affairs of the company, he is basically legal consultant of the company, according to the Companies Act. It is due to this reason the Chartered Accountant is an independent professional and he has nothing to do with the company's day to day affairs.

8. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand)



as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Mr. Manish Ranjan, learned Judicial Magistrate, 1st Class, Benipatti, Madhubani, in connection with Madhubani Complaint P.S. Case No. 375 of 2023 subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Mkr./Anshuman/

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