

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56076 of 2025

Arising Out of PS. Case No.-378 Year-2024 Thana- MUNGER COMPLAINT CASE
District- Munger

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1. Sajjan Prasad Singh son of Late Ramakant Mandal @ Buchchi Mandal @ Ramakant Bharti Resident of village-Bhirkhurd (Udhahdih) P.s.- Sultangunj, District- Bhagalpur.
 2. Mithilesh Kumar son of Sajjan Prasad Singh Resident of village-Bhirkhurd (Udhahdih) P.s.- Sultangunj, District- Bhagalpur.
 3. Nilesh Kumar son of Sajjan Prasad Singh Resident of village-Bhirkhurd (Udhahdih) P.s.- Sultangunj, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anoj Kumar son of Bhola Prasad Yadav village- Madhopur, ps- Asargunj, Dist- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Ram Sevak Choudhary, APP
For the Informant :	Mr. Subodh Kumar Jha, Advocate
	Mr. Sarveshwar Tiwary, Advocate
	Mr. Chandramohan Jha, Advocate
	Mr. Pranav Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-04-2026 Heard learned Counsel for the petitioners, learned Counsel for the Informant 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 petitioners who apprehend arrest in connection with Complaint Case No. 378 of 2024, under



Section 420/34 of the Indian Penal Code.

3. As per the prosecution, the present case which has been filed on the basis of the complaint, the complainant had made payment to different persons, upon the instruction of the petitioners, in the name of providing services in Railway. Upon demand, money had not been returned then the present case has been filed.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that from the copy of the complaint, it transpires that the said complaint has been filed on 24.04.2024 in which cognizance has been taken subsequently. But he submits that in the month of February itself, the petitioner No.3 has filed criminal case bearing Sultanganj P.S. Case No.49 of 2024 against the informant and others, who have assured to provide services and taken rupees sixteen lakhs, in which rupees sixteen lakhs were paid to him and subsequently when the petitioner started demanding money and they have not returned then they have filed criminal case against the petitioners. Counsel for the petitioners submits that in the said case, name of complainant is accused No.3 and it is the same accused No.3 who have filed the complaint case against the present petitioners. He submits that



the present complaint has been filed only with a view to save his own skin. He further submits that criminal antecedent of the petitioners is clean. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned Counsel for Opposite Party No.2, vehemently opposes the prayer for bail and he submits that the money has been paid in the account as mentioned in the complaint petition.

6. Learned A.P.P. for the State, on the other hand, opposes the prayer for bail of the petitioners and submits that it has been specifically alleged that the complainant has made payments into the accounts of different persons, who are also arrayed as accused in the present case.

7. Upon hearing the parties and upon perusal of the record, it transpires that complaint petition has been filed on 24.04.2024 and prior to the present complaint the petitioners have filed criminal case against the complainant in the month of February, 2024 itself.

8. In this background, let the above named petitioners 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) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Judicial Magistrate, 1st Class, Munger, in connection with Complaint Case No. 378 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

9. And further condition that the Trial Court shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

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