

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67858 of 2025

Arising Out of PS. Case No.-222 Year-2025 Thana- PHULWARISHARIF District- Patna

Rahul Kumar S/O Dinesh Singh R/O 18, Vineka, Near Hanuman Mandir,
Dhanarua, Panditganj, P.O. and P.S.- Panditganj, Dist.- Patna, 804451,
Director Address- Dhelwan Kankarbagh, Near Mithapur, Over Bridge, Dist.-
Patna Bihar- 800002

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nanda Shah @ Om Nandan Shah @ Nanda Gop S/O Krishna Shah Nanda
Gop Home Pvt. Ltd. R/O Kunal Road, Ulash Chak, Bhanpura, P.O. and P.S.-
Jannipur, Dist.- Patna. 801505

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Roushan Kumar, Advocate Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh
For the O.P. No. 2	:	Dr. Anjali Pd. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 26-02-2026 Heard the learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner apprehends arrest in connection with
Phulwari Sharif P.S. Case No. 222 of 2025 registered for
offences under Sections 316(2), 318(4) of the Bharatiya Nyaya
Sanhita, 2023.

3. As per the prosecution case, the petitioner is
accused of cheating the informant of Rs. 31 Lakhs.

4. Paragraph No. 7 of the petition reads as follows:-

“That the accused through online transaction
have paid an amount of Rs. 11,42,000/- in



the account of the informant and a cash amount of Rs. 3,00,000/- was paid to the informant.”

5. Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence.

6. Learned APP for the State and the learned counsel for the O.P. NO. 2 have vehemently opposed the prayer for bail.

7. Considering the facts and circumstances of the case, this application for anticipatory bail stands allowed.

8. Accordingly, let the petitioner, above-named, in the event of arrest or surrender within four weeks from today in the Court below, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Phulwari Sharif P.S. Case No. 222 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS and with further condition that:-

(I). The petitioner shall pay Rs. 16,58,000/- (Rupees Sixteen Lakhs Fifty Eight Thousand only) to the informant within six months. At the time of furnishing bail bonds, the petitioner shall produce a demand draft for Rs. 2,76,333/- as first installment in favour of the informant. The bail bonds shall be accepted only upon production of the said demand



draft, which shall be released to the informant by the learned Court below. In default, appropriate order shall be passed. After accepting the bail bonds, the Court below shall release the petitioner on interim bail.

(ii). The balance amount shall be paid by the petitioner to the informant within the next five months from his release, failing which the bail bonds shall be cancelled. However, if the petitioner deposits the entire amount of Rs. 16,58,000/- within six months from today, the interim bail shall be confirmed by the Court below.

(Sandeep Kumar, J)

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