IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85679 of 2023

Arising Out of PS. Case No.-211 Year-2023 Thana- DARBHANGA District- Darbhanga

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Abhishek Raj SON OF ANAND BIHARI SHARAN Resident of Laxmi Sagar Road No 4 P. S. L. N.. University, DIST.- DARBHANGA

... ... Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Dinesh Kumar s/o- late Chedi Lal Danika R/o- Mohalla- Gullowara P.S- Town Dist-Darbhanga

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Shama Sinha
Mr. Kumar Praveen
Mr. Vijayansh Pratap Singh
Mr. Surya Prakash

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

26 09-02-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Darbhanga (Town) P.S. Case No. 211 of 2023 registered for the offence under Sections 419, 420, 406, 407, 468, 120B/34 of the Indian Penal Code.

3. The dispute between the parties is that the petitioner had taken Rs. 13.65 lakhs from the informant for giving consultancy for taking Tata Agency. It is further alleged that on instructions from the petitioner, the informant transferred Rs. 1.5 crores in the account of a dead person.

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4. It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in this case. Learned counsel for the petitioner further submits that the petitioner has already returned Rs. 3.65 lakhs to the informant and the petitioner is ready to return1 0 lakhs to the informant which was transferred in the account of the petitioner and rest of the alleged amount has been transferred in the account of dead person of which the petitioner has no knowledge. He next submits that the police is still investigating the case.

5. Considering the aforesaid facts, the petitioner is granted provisional anticipatory bail till the completion of the investigation and submission of charge-sheet/Final Form.

6. The petitioner is directed to surrender and execute his bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the jurisdictional investigating officer in connection with Darbhanga (Town) P.S. Case No. 211 of 2023 on such terms and conditions as he deems fit and the petitioner will co-operate in the investigation, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

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7. The Senior Superintendent of Police, Darbhanga is directed to himself supervise the investigation of the case and go behind the allegations against the petitioner as it appears the present investigating officer is incompetent in investigating such financial frauds and if required, the Senior Superintendent of Police, Darbhanga will get the investigation done by a competent Investigating Officer.

8. The petitioner is given liberty to file a proper representation before the police with regard to the discrepancies and the petitioner may bring further facts in the knowledge of the Senior Superintendent of Police, Darbhanga.

(Sandeep Kumar, J)

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