

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88936 of 2025**

Arising Out of PS. Case No.-414 Year-2025 Thana- MADHUBANI TOWN District-
Madhubani

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1. Manzar Ansari@Md. Manzar Ansari
 2. Umair Alam @ Md. Umair Alam @ Md. Umaio,
Both are son of Md. Shoaib @ Shoeb Ansari
 3. Anjum Praveen @ Anjum Perween W/O Manzar Ansari
All are Resident of Village- Goapokar, P.S.- Nagar, Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 28-01-2026 Heard Mr. Ashok Kumar Jha, learned counsel
appearing on behalf of the petitioners and Mr. Ram Sevak
Choudhary, learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with
Madhubani Town P.S.Case No.414 of 2025, registered for the
offences punishable under Sections 420, 406, 467, 468 and
471/34 of IPC.

3. The prosecution story in short is that the petitioner
along with his wife and brother cheated Rs.20,81,000/- from the
informant on the pretext of providing job in Beltron Company.

4. Learned counsel appearing on behalf of the
petitioners submitted that the petitioner no.1 had entered into a



partnership agreement on 13.06.2020 and the memorandum of the Understanding (MoU) has been brought on record by way of Annexure -P/2 to the bail application and during the said period, Covid-19 Pandemic broke out leading to loss in the business and to realize the amount, which the partnership Firm suffered, the petitioners have been made accused on the basis of false accusation that on the basis of false promise, petitioners have realized a sum of Rs.20,81,000/- in a fraudulent manner from the informant.

5. Learned counsel further submitted that from the very allegation, it appears that the contract arising out of the alleged promise made by the petitioners to provide employment in BELTRON is void and in support thereof, the petitioners have referred to several judgments of the Apex Court in this regard :

(I) ***Deepak Kumar Shrivastava and Anr. Vs. State of Chhattisgarh and Ors.*** reported in (2024) 3 SCC 601

(II) ***Vijay Sharma and Anr. Vs. State of Bihar & Anr.*** reported in (2011) 1 PLJR 780

(III) ***Manju Devi Vs. The State of Bihar and Ors.*** Reported in (2017) 2 PLJR 560

(IV) ***Narender Prasad Pandey Vs. State of Bihar and Ors.*** reported in (2019) SCC Online Pat 403

(V) ***Prahlad Rai and Ors. Vs. The State of Bihar*** in ***Cr. Misc. No.6097 of 2015 vide order dated 15.05.2019*** and

(VI) ***State of Haryana Vs. Bhajan Lal*** reported in 1992 Supp. (1) SCC 335.

6. Learned counsel, in this background, submitted that such a contract can only be termed an unethical transaction, in respect of which civil remedies may not be sustainable. It was



further contended that the dispute has been raised solely with a *mala fide* intention to realize and recover the tainted money through coercive means, under the garb of threats of criminal proceedings.

7. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

8. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR and the background in which the petitioners have made out a case that as a result of loss in the partnership business on the basis of false accusation they have been made accused in the present case and the record reveals that the present FIR has been lodged in the year, 2025 whereas the petitioners and the informant were dealing with the partnership business for which they had entered into an agreement in the year, 2020 and as claimed by the petitioners that due to loss suffered in the said business, the informant with an intention to recover alleged tainted money by coercion has lodged the present FIR. I find that the petitioners have *prima facie* made out a case to be released on pre-arrest bail.

9. The petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the



learned district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Madhubani/concerned court, in connection with Town P.S.Case No.414 of 2025 subject to conditions as laid down under Section 482(2) of BNSS of 2023

10. The learned district court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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