

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92029 of 2025

Arising Out of PS. Case No.-357 Year-2025 Thana- PATLIPUTRA District- Patna

Rajiv Kumar Son of Arun Kumar Sahi @ Arun Kumar Shahi Resident of
Village- Rewasi, Po- Rewasi, Ps- Riga, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s :	Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Patliputra P.S. Case No. 357 of 2025 instituted for the offences punishable under Sections 406, 419, 420, 467, 468, 469, 506 and 34 of the Indian Penal Code.

3. The prosecution case is to the effect that the informant has alleged that the petitioner being the Auditor (C.A.) had drafted a partnership deed for the directors of the company of the informant namely Hopecon Infra Projects Private Limited with similar name as that of the company, namely Hopecon Infra Contractors and thereby helped other accused persons.

4. Learned counsel for the petitioner submits that the



petitioner is admittedly the Auditor of the informant's company namely Hopecon Infra Projects Private Limited and at best if the allegations are taken on its face value the petitioner is said to have drafted a partnership deed of the other directors of the company namely Hopecon Infra Projects Private Limited who had gone on to make a partnership firm with the name Hopecon Infra Contractors. It has been submitted that the allegations of monetary loss to the original company can at best be attributed to the partners of the new firm and not on the petitioner who has merely prepared the deed and has no concern with the partnership firm or the company. It has further been submitted that the petitioner as a C.A. had acted bonafidely without being aware that any fraud was being committed by the partners of the firm. It has lastly been submitted that the petitioner has clean antecedent and no wrong has been committed by the petitioner which would attract any criminal offence.

5. Learned APP appearing on behalf of the State as well as learned counsel for the informant vehemently opposed the prayer for anticipatory bail of the petitioner and have stated that the petitioner being the C.A. of the company namely Hopecon Infra Projects Private Limited had to restrain himself from drafting a deed for the new partnership firm and therefore



he was also in connivance with the other accused persons.

6. Considering the facts and circumstances of the case and taking into account the nature of allegation, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-X, Patna in connection with Patliputra P.S. Case No. 357 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner;

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found



that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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