

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91835 of 2025

Arising Out of PS. Case No.-530 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

Vishambhar Nath Dubey @ Bisambar Nath Pandey S/o Late Awadhesh
Dubey @ Awadhesh Kumar Dubey Resident of Village - Bhesua, Post -
Khajuri, P.S - Harpur Budhat, District - Gorakhpur, State - Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 420, 406 & 468/34 of the Indian Penal Code and under Section 3 of the Bihar Protection of Interest of Depositors Act.

3. The case of the prosecution, in short, is that PEERS and DE-PEERS Allied Corporation Limited has taken deposits from the customers but they have closed their local branch and are not providing the cash deposited by the investors.

4. Learned counsel for the petitioner has submitted from perusal of the FIR it is clear that one Durga Prasad Dubey



is the M.D. of that company. As far as this petitioner is concerned, he is assistant in that company and it has also been submitted that Annexure-P/2 is the salary slip of the petitioner who is an employee and his salary is Rs.7,500/- per month. It has further been submitted that there is no role of this petitioner in cheating any of the investors. His work was only to collect the money and deposit in the company. Learned counsel for the petitioner has further submitted that learned Co-ordinate Bench has granted provisional bail to the M.D. of the company, namely, Durga Prasad Dubey vide Cr. Misc. No. 78792 of 2025 as he has assured to pay the money and in that case, SEBI has also been made party. Learned counsel for the petitioner has further submitted that the grievance of the informant and others is not against this petitioner, rather it is against the M.D. of the company who has been granted provisional bail by the learned Co-ordinate Bench.

5. Learned Additional Prosecutor for the State has vehemently opposed the bail application of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mohaniya P.S. Case No. 530 of 2021 on



furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna.

(Ashok Kumar Pandey, J)

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