IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Revision No. 1211 of 2022

1. Bablu Bouri aged about 47 years, son of Fani Bouri, resident of Mahalbani New Colony, Bhowra, Kanchanpur, P.O. Bhowra, P.S. Sudamdih, District Dhanbad.
2. Bishwanath Ganguly @ Bigwanath Ganguly, aged about 68 years, son of Bhujang Bhushan Ganguly, resident of Nagina Bazar, Mohalbani, Kanchanpur, P.O. Bhowra, P.S. Sudamdih, District Dhanbad.
3. Jagannath Parmanik @ Jagarnath Pramanik, aged about 58 years, son of Gourchand Parmanik, resident of village Kusumtand, P.O. Pargha, P.S. Baliapur, District Dhanbad.
4. Sudhir Kumar aged about 60 years, son of Lallan Kumar Singh, resident of Motinagar, P.O. & P.S. Jharia, District Dhanbad.
5. Kumar Upendra Singh @ Kumar Upendar Singh, aged about 54 years, son of Ram Janam Singh, resident of Jeetpur Officer Colony, Near Kali Mandir, P.O., P.S. & District Dhanbad.
6. Prem Lal DP @Prem Lal BP aged about 65 years, son of Dharam Dyal BP, resident of Ward No. 5, Kataud Janjgir-Champa, P.O. and P.S. Janjgir-Champa, Chhatisgarh.
7. Karthik Ram aged about 67 years, son of Chaman Ram, resident of village Nimadih, P.O. Masmohana, P.S. Nawalshahi, District Koderma.
8. Ashok Kumar Ganguly @ Ashok Kumar Ganguli aged about 68 years, son of Madhusudan Ganguly, resident of Bhowra New Quarter, near Hanuman Mandir, Kanchanpur, P.O. Bhowra, P.S. Sudamdih, District Dhanbad … … **Petitioners**

Versus

Union of India through CBI … … **Opposite Party**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioners : Mr. A.K. Kashyap, Senior Advocate
: Ms. Leena Shakti, Advocate
For the CBI : Mr. Deepak Kumar Bharati, Advocate

23/**05.11.2026** Heard the learned counsels appearing on behalf of the parties.

2. This criminal revision has been filed challenging the order dated 10.08.2022 passed by learned S.D.J.M.-cum-Special J.M., CBI, Dhanbad in connection with CBI Case No. RC 2(A)/2016(D), whereby the prayer made by the petitioners for their discharge has been rejected. The case is presently said to be pending before the court of learned S.D.J.M.-cum-Special J.M., CBI, Dhanbad.

3. The impugned order shows that the case has been registered under section 120-B read with sections 420 and 511 of Indian Penal Code and section 13(2) read with section 13(1)(d) of the Prevention of Corruption Act.

4. The learned Senior counsel for the petitioners has submitted that there are altogether 24 accused persons and the petitioners have been falsely implicated in this case. They are the employees in BCCL and they have been defrauded by the co-accused namely, Prashant Pandey who filed their income tax returns and it is alleged that false income tax returns were filed due to which huge refund was generated and paid. He has further submitted that the premises of Prashant Pandey was raided and unpaid refund order cheques were found in the name of 11 public servants and one private person.

5. The learned Senior counsel for the petitioners has thereafter submitted that the petitioners are the victims of the case and he has in particular referred to paragraph 7 and 8 of the present petition to submit that TDS as well as returns of the petitioners were filed by Prashant Pandey who used his e-mail ID as well as his address for filing the returns of the petitioners. The petitioners have no knowledge about computer and the procedure of filing income tax returns as well as TDS. He has also submitted that no cheques have been encashed by the petitioners and the cheques were not handed over by Prashant Pandey to the petitioners, although the cheques were said to have been en-cashed.

6. The learned counsel for the opposite party- CBI has opposed the prayer and has submitted that it is a case of filing of false returns and Prashant Pandey is a co-accused in the present case. He submits that false TDS were generated by making false claim in the returns to suppress actual income so that higher refund is generated.

7. The learned counsel for the opposite party- CBI also submits that the impugned order has considered aforesaid aspects of the matter and the discharge petition has been rejected.

8. After hearing the learned counsels for the parties and upon going through the impugned order, it appears that as per the allegation,

income tax returns were filed in the name of the petitioners claiming incorrect deductions and refunds were also generated. The person who filed the income tax returns of the petitioners namely, Prashant Pandey is a co-accused in the present case. The impugned order has considered every aspect of the matter which is required to be considered at the stage of discharge. The other arguments advanced by the learned Senior counsel for the petitioners are essentially matter of defence and accordingly, this Court finds no illegality or impropriety in the impugned order dated 10.08.2022 rejecting the application for discharge.

9. This criminal revision petition is accordingly ***dismissed.***

10. It is important to note that as per the report received from the concerned court, since there are several accused persons, successive discharge petitions have been filed by one or the other accused and since 23.02.2021 till 17.09.2026, the argument on the discharge petition remained pending. It is not clear as to why the argument on discharge petitions of other co-accused remained pending since 23.02.2021. It is expected that the learned trial court shall sake steps for expeditious disposal of the case.

11. Let a copy of this order be communicated to the learned court concerned through “FAX/email”.

(Anubha Rawat Choudhary, J.)

Date of Order:05.11.2026
Pankaj
Date of Uploading:06.11.2026