IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53595 of 2026

Arising Out of PS. Case No.-61 Year-2011 Thana- MUZAFFARPUR TOWN District-Muzaffarpur

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Reyazat Hussain @ Reyazul Hussain S/O Waizul Haque @ Wyazul Hussain R/O Village- Hussainganj, P.S.- Hussainganj, Siwan.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vibhuti Kumar, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

3 20-08-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in connection with Town P.S. Case No. 61 of 2011 registered for the offences punishable under Sections 420, 406 and 34 of the IPC.

3. The prosecution case, in brief, is that the informant, Manoj Kumar, was running an agency of a mobile company. On 18.05.2010, Reyazul Hussain (petitioner) and co-accused Pankaj Kumar Singh came to his residence-cum-business premises and represented themselves to be the owners of a company and

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stated that they were partners. They further represented that their company was engaged in manufacturing food products and was looking for a Super Distributor for North Bihar. They furnished details of their company, namely, Friends Food Products and they also disclosed their respective residential addresses and mobile numbers to the informant. Believing their representations, the informant agreed to the terms and conditions explained by them. Thereafter, they appointed the informant as the Super Distributor of their company and handed over an appointment letter to him. They also obtained his signatures on certain documents and retained the same. It is further alleged that, pursuant to the said arrangement, the informant paid a sum of Rs. 5,00,000/- into the Punjab National Bank account of Friends Food Products. Thereafter, on 06.07.2010, he transferred a further sum of Rs. 1,40,000/- through RTGS to the account of Friends Food Products maintained with the Bank of Baroda, Rajpura Branch, District Sirhind, Punjab. Thus, a total amount of Rs. 6,40,000/- was allegedly paid by the informant to the accused persons.

3.1. It is alleged that the accused persons, by making false representations regarding themselves and their company, induced the informant to part with the aforesaid amount and also

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obtained certain documents bearing his signatures, which they retained. Thereafter, instead of fulfilling their obligations, they allegedly misappropriated the amount of Rs. 6,40,000/-, threatened the informant in various ways and subsequently switched off their mobile phones.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It has been submitted that he has no concern with the functioning of the company and is merely an employee and the allegations appear to have arisen out of a business transaction. There is not an iota of evidence to establish that any amount was transferred to the petitioner’s account or to suggest that the petitioner had any intention, from the very inception, to defraud the informant. Although the present case is of the year 2011, the report called for by order dated 05.08.2026 and submitted on 10.08.2026 reveals that NBW was issued against the petitioner on 17.03.2026. Immediately thereafter, the petitioner approached the court below by filing an anticipatory bail application which came to be rejected on 29.06.2026. Thereafter, the petitioner filed the present application on 25.07.2026. It has been submitted that only thereafter, on 29.07.2026, the process under Section 82 of the Cr.P.C. came to

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be issued, despite the petitioner having already submitted himself to the jurisdiction of the court. It has further been submitted that the company in question is situated in Punjab and the petitioner has no connection whatsoever with the functioning or affairs of the said company. Lastly, it has been submitted that the petitioner has clean criminal antecedent as stated in para 3 of the bail petition.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case, as well as the fact that the NBW was issued after a lapse of 15 years and the petitioner himself submitted to the jurisdiction of the court within the shortest possible time, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Muzaffarpur, in connection with Town P.S. Case No. 61 of 2011, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

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8. This application stands allowed.

(Praveen Kumar, J)

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