

**The Court of 2<sup>nd</sup> Dist. & Additional Sessions Judge, Bikramganj, Rohtas, Bihar**

**B.P. NO. 72/2026 and B.P. NO. 86/2026**

**Dawath P.S Case No. 30/2026**

Date of Order or Proceeding	Order with the Signature of the Court	Office action taken with date
10.04.2026	<p>Bail application (BP 72) along with power on behalf of Petitioners (1) Pardesi Raj, (2) Anil Kumar Pathak and (3) Bindhyachal Kumar Mishra and second bail application (BP 86) along with power on behalf of Petitioner Sunil Pandit has been filed who are in judicial custody since <b>03.02.2026</b> in connection with <b>Dawath P.S Case No. 30/2026</b>, registered u/s 318(4), 316(2), 61(2), 336(3), 340(2), 111(3), 3(5) of BNS, 2023.</p> <p>Both petitions were heard together and was posted for an order today. For connivance both petitions are disposed with this common order.</p> <p>Case has been heard and was posted for an order today. Mr. Pavan Kumar Singh and Dinesh Kumar Dinkar, Learned counsel for petitioner have submitted that petitioner is innocent have committed no offence and has been falsely implicated in this case due to mere suspicion. He further submits that the petitioners has been caught by police on mere suspicion. He is ready to abide all the conditions of bail. Hence his application for bail be allowed.</p> <p>Ld. APP appearing on behalf of State assisted by Adv Pawan Singh has opposed the bail application. He argued that FIR has been registered under sections 318(4), 316(2), 61(2), 336(3), 340(2), 111(3), 3(5) of BNS, 2023. and custody of accused person is required for investigation and unfolding the crimes committed by them. He argued that a bail petition of the petitioners have been rejected vide order dated 11.02.2026. Hence the instant bail application be rejected.</p> <p>Heard both the parties and perused the record of case and material available on record. From perusal it transpires that the instant case has been registered on the written application of informant namely Chuti Kumari. The instant case has been filed against the petitioners for the offence punishable under sections 318(4), 316(2), 61(2), 336(3), 340(2), <b>111(3)</b>, 3(5) of BNS, 2023. Allegation against them nutshell is that they mass-marketed a fraud scheme to defraud several persons including the informant.</p> <p>The case has been registered newly add</p>	

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section 111 under the criminal laws. It deals with ORGANISED CRIME. Sec 111 reads like :

(1) Any continuing unlawful activity including kidnapping, robbery, vehicle theft, extortion, land grabbing, contract killing, **economic offence**, cyber-crimes, trafficking of persons, drugs, weapons or illicit goods or services, human trafficking for prostitution or ransom, **by any person or a group of persons acting in concert, singly or jointly, either as a member of an organised crime syndicate or on behalf of such syndicate**, by use of violence, threat of violence, intimidation, coercion, or by any other unlawful means to obtain direct or indirect material benefit **including a financial benefit**, shall constitute organised crime.

Explanation.—For the purposes of this sub-section,—

(I) “organised crime syndicate” means a **group of two or more persons who, acting either singly or jointly, as a syndicate or gang indulge in any continuing unlawful activity**;

(ii)“continuing unlawful activity” means an activity prohibited by law which is a cognizable offence punishable with imprisonment of three years or more, undertaken by any person, either singly or jointly, as a member of an organised crime syndicate or on behalf of such syndicate in respect of which more than one charge-sheets have been filed before a competent Court within the preceding period of ten years and that Court has taken cognizance of such offence, and includes economic offence;

(iii)“**economic offence**” includes criminal breach of trust, forgery, counterfeiting of currency- notes, bank-notes and Government stamps, hawala transaction, **mass-marketing fraud or running any scheme to defraud several persons** or doing any act in any manner with a view to defraud any bank or financial institution or any other institution or organisation for obtaining monetary benefits in any form.

Sec. 111 (3). Whoever abets, attempts, conspires or knowingly facilitates the commission of an organised crime, or otherwise engages in any act preparatory to an organised crime, shall be punished with imprisonment for a term which

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shall not be less than five years but which **may extend to imprisonment for life**, and shall also be liable to fine which shall not be less than five lakh rupees.

On perusal of case diary, it transpire that informant in her further statement at para 03 of CD and other witnesses at para 04, 05, 06, 07, 08, 09, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 57 of CD have supported the prosecution version of the case. All witnesses has said that Sunil Pandit in the name of Sarvjan Sukhaya Nidhi and Reliable Agroland company limited has collected money from them and after maturity period not returned the maturity amount. In para 57 of CD, Rakesh Kumar has said that Sarvjan Sukhaya Nidhi and Reliable Agroland company limited was run by the accused persons in rented house which came in the possession his brother Late Manoj Sah. He clearly disposed that the company was performing daily business from there. On perusal of para 47 of case dairy, the petitioners has no criminal antecedent. The petitioner is in custody since 03.02.2026.

Considering the facts stated above, gravity of offence, and grabbing of funds from poor persons by **running scheme to defraud them** , This court is not inclined to grant bail to this petitioner. Accordingly prayer for **bail stands rejected**.

Let a copy of this order along with LCR be transmitted to Ld. Court below forthwith. O/C is directed to deposit the record as per rules.

**(Dictated)**

**2<sup>nd</sup> D & ASJ  
Bikramganj**