

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 4157/2026

Aarafat Hussain S/o Anvar Hussain, Aged About 25 Years,
Resident Of Near Power House, Mohta Saray, Bikaner, Rajasthan.

-----Petitioner

Versus

The Branch Manager, Indian Overseas Bank, Katla, Bikaner,
Rajasthan.

-----Respondent

For Petitioner(s)	:	Mr. Kailash Prasad
For Respondent(s)	:	--

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

23/02/2026

1. The instant writ petition under Article 226 of the Constitution of India has been filed by the petitioner seeking the following reliefs:-

"It is therefore, most humbly prayed that your Lordships may most graciously be pleased to accept this writ petition and:

- i) By an appropriate writ, order or directions, the respondent may kindly be directed to de-freeze the bank account bearing account number 160802000000865 of the petitioner's Saving account in respondent bank.*
- ii) By an appropriate writ, order or directions, the respondent may kindly be directed to not freeze the bank account of the petitioner's in future without prior notice.*
- iii). Any other appropriate order or direction, which this Hon'ble Court deems fit may kindly be passed in favour of the petitioner.*
- iv) Costs of the writ petition may kindly be awarded in favour of the petitioner.*

2. Having considered the facts and circumstances of the case, this Court deems it just and proper to dispose of this writ petition

with a direction to the respondent Indian Overseas Bank to keep the disputed amount (the amount which was transferred illegally in the bank account of the petitioner) frozen and allow the petitioner to make transactions from his bank account from the remaining balance.

3. It is further made clear that in case, the respondent – Bank has not received the information regarding the exact figure of the disputed amount, which the Investigating Officer/Police alleges to be receipt(s) of the offence, the bank shall send a communication to the concerned Investigating Officer/Police, to indicate the amount to be earmarked for lien, while endorsing a copy of the instant order.

4. Upon receipt of such communication/letter, the concerned Investigating Officer/Police shall be under an obligation to apprise the respondent - Bank about the amount to be kept in lien, within a period of seven days of receiving the communication from the respondent - Bank. The respondent – bank shall thereafter do the needful as directed herein above.

5. It is further made clear that in case, the respondent-Bank does not receive any reply from the concerned Investigating Officer/Police, then it shall be duty bound to act in accordance with the instant order.

6. Stay petition as well as all pending application, if any, stand disposed of.

(KULDEEP MATHUR),J