

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4593 of 2025

Arising Out of PS. Case No.-467 Year-2024 Thana- HARSIDHI District- East Champaran

Suraj Kumar Son of Hiralal Sahani Resident of Village- Dudhahi, P.S.-
Harsidhi District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-04-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 319, 318(4), 336(2), 338, 336(3), 340(2) and 61(2) of the B.N.S. and Sections 4 and 66(D) of the I.T. Act.

3. As per prosecution case, during patrolling, informant received a secret information about a group of miscreants planning to commit fraud through mobile phones. Upon reaching the place of occurrence, one Sikandra Kumar was apprehended from the spot and upon search, several mobile phones and ATM cards were recovered from his possession and he confessed that money has illegally been transferred through mobile phone and this petitioner is the gang



leader.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is not owner of any of the mobile phones or ATM cards and has got no concern with the recovered articles. No incriminating article has been recovered from conscious possession of this petitioner. Petitioner has falsely been implicated in this case merely on the basis of confessional statement of co-accused person who was apprehended at the spot and except confessional statement, there is no material on record to show the complicity of this petitioner in the alleged occurrence. It is further submitted that similarly situated co-accused person, namely Vivek Kumar, has already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 19.03.2025 passed in Cr. Misc. No. 3452 of 2025. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the general and omnibus nature of accusation, claim based on parity and clean antecedents of the



petitioner the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 467 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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