

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8351 of 2025

Arising Out of PS. Case No.-687 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Anurag Kumar S/O Jitendra Pandey Resident of village - Ghughuwa, P.S-
Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 07-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Motihari Town P.S. Case No. 687 of 2024 instituted for the
offence under Sections 318(4), 303(2) & 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

3. The Informant, a hawker, reported that on
23.10.2024, he was cheated of Rs. 37,800/- by men pretending
to help him to deposit money at an SBI ATM in Motihari. When
he later identified one of the accused at another ATM, police
apprehended two suspects, Mangalam Patel and Anurag Kumar
(petitioner), recovering 15 ATM cards and other items.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 27-10-2024. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that due to mistake of identification by the informant, petitioner was arrested on the basis of suspicion and at the time of chasing the offender, real culprit fled away and petitioner has become the victim of the circumstances. Nothing incriminating has been recovered from the possession of the petitioner. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Other witnesses have fully supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of Court below/concerned Court in connection with Motihari Town P.S. Case No. 687 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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