

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12650 of 2025

Arising Out of PS. Case No.-42 Year-2024 Thana- Cyber P.S. District- East Champaran

Ram Krishna Bhadra @ Mithu S/O Late Nimai Chandra Bhadra R/O Vill.-
Bada Parewa Ward- 17, P.S- Raxual, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar II, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 14-05-2025 Heard Mr. Dhananjay Kumar No. II, learned
counsel for the petitioner and Mr. Jitendra Kumar Singh,
learned APP.

2. The petitioner is apprehending his arrest in connection with Mothihari Cyber P.S. Case No. 42 of 2024 for the offence under sections 420, 467, 468, 471 and 34 of the IPC and Sections 65, 66C and 66D of the I.T. Act lodged on 24.10.2024 by the informant, Santosh Kumar.

3. As per the prosecution story, the informant who is Branch Manager of the Life Insurance Corporation of India, Raxaul Branch alleged that using the agent code number, the staffs/employees of the nearby cyber-cafe misappropriated Rs. 26,57,348/-. Annexing the chart how the said amount was



misappropriated, the FIR was lodged.

4. Learned counsel for the petitioner submits that it is an admissible fact that he runs the nearby cafe, had no knowledge that the amount has been transferred in his account/wife's account. The further submission is that the Bank Officials themselves have admitted that out of Rs. 26,57,348/-, Rs. 26,17,348/- has come back and minuscule amount remains and he has no criminal antecedent. The last submission is that without accepting the allegation and/or the outcome of the present case, he intends to pay Rs. 50,000/- through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that the chart clearly shows that both the petitioner as also his wife are the two beneficiaries beside the other accused persons.

6. Having gone through the facts of the case and the submission of the parties, it is true that the hard-earned money of the policy holders were siphoned off by the accused persons, petitioner included, however, since the petitioner has no criminal antecedent, has undertaken to diligently appear in trial and is making the payment of the left over amount (Rs.



50,000/-), in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 50,000/- through Demand Draft issued by the local branch of the State Bank of India in the name of Branch Manager, Life Insurance Corporation of India, Raxaul Branch.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Mothihari Cyber P.S. Case No. 42 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at
liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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