

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12683 of 2025

Arising Out of PS. Case No.-253 Year-2018 Thana- ATRI District- Gaya

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Piyush Raj @ Nishu Son of Chunchun Singh Resident of Village -
Baikathpur, P.S. - Atri, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dinu Kumar, Adv. Mr. Vardaan Mangalam, Adv. Mrs. Ritika Rani, Adv.
For the Opposite Party/s :		Mr. Manoj Kumar, APP

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

ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Atri P.S.
Case No. 253 of 2018 instituted for the offences under Sections
379, 420 of the Indian Penal Code and Sections 65, 70, 72 of the
I.T. Act.

3. As per prosecution case, when the Informant was
withdrawing money from the Indian Bank ATM, one unknown
boy secretly saw the pin number of the ATM Card and, on next
day, withdrew one lakh thirty thousand rupees from his account.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has surfaced in this case in course of investigation. The petitioner has been remanded in this case on 21.10.2024. He further submits that nothing incriminating/withdrawn money has been recovered from the conscious possession of the petitioner. The petitioner has no connections with the other co-accused persons. The petitioner has no concern with the alleged occurrence and he has been made scapegoat of the incident. There is no independent eye-witness to the alleged occurrence. The petitioner has five criminal antecedents and is languishing in judicial custody since 21.10.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Atri P.S. Case No. 253 of 2018,
subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family
members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall
be properly represented on each and every date fixed by the
court and shall remain physically present as directed by the
Court and in the event of failure on two consecutive dates
without sufficient reasons, his bail bond shall be liable to be
cancelled by the court below.

(Rudra Prakash Mishra, J)

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