

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17848 of 2025

Arising Out of PS. Case No.-1315 Year-2024 Thana- NAWADA District- Nawada

Harsh Kumar S/o Sudharanjan Singh R/o Village- Fatehpur, P.S- Town, Distt.- Begusarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2025 Heard Mr. Ashok Kumar, learned counsel for the petitioner and Mr. Ajit Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with P.T.N. 4988 of 2024 arising out of Nawada Town P.S. Case No. 1315 of 2024, F.I.R. dated 08.11.2024 for the offences punishable under Sections 304, 303(2) and 318(4) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, when informant was returning to her home then some miscreants snatched her phone and transferred Rs.46,300/- in the bank account of this petitioner and also ported the SIM from JIO to Airtel.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the as per the allegation in the F.I.R, the petitioner has broke the password of the informant's phone and transferred Rs. 46,300/- to his bank account. He further submits that the petitioner is ready to pay Rs. 46,300/- (Forty six thousand three hundred) to the informant.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with P.T.N. 4988/2024 arising out of Nawada Town P.S. Case No. 1315 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall furnish a demand draft of Rs.



46,300/- in favour of the informant, namely, Nutan Kumari and the same shall be deposited at the time of furnishing bail bond and the learned Court below is directed to hand over the said demand draft to the informant or her representative.

ii. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

