

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27120 of 2025**

Arising Out of PS. Case No.-43 Year-2024 Thana- Cyber P.S. District- East Champaran

DILIP KUMAR S/O KISHORI MAHTO VILLAGE- TINKONI, P.S.-
DARPA DISTRICT- EAST CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Advocate
Mr. Dhardev Kumar, Advocate
Mr. Atul Kumar, Advocate
For the State : Mr. Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 08-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 338, 336(3), 340(2), 303(2)
and 318(4) of the B.N.S. and Sections 66(c) and 66(D) of the
I.T. Act.

3. As per prosecution case, it is alleged that all the
accused persons, including this petitioner, have fraudulently
withdrawn the money of informant and others and deposited in
their bank account amounting to Rs. 90,00,000/-. It is alleged
that this petitioner received Rs. 3,78,000/- in his bank account.

4. It is submitted by learned senior counsel appearing



on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner has been implicated in this false and fabricated case with ulterior motive. However, it is submitted that at this stage, without admitting his guilt, petitioner is ready to deposit the alleged defalcated amount amounting to Rs. 3,78,000/- (Rupees three lakhs seventy eight), in easy installments. Petitioner has got no criminal antecedents and he is in custody since 01.11.2024. Moreover, charge-sheet has already been submitted.

5. On the other hand, learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, nature of accusation, period of custody, clean antecedents and aforesaid undertaking of the petitioner, prayer for grant of bail to the petitioner is allowed.

7. Accordingly, 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 C.J.M., East Champaran, Motihari in connection with Motihari Cyber P.S. Case No. 43 of 2024, along with the following terms and conditions:



- “A. At the time of furnishing bail-bond Rs. 1,00,000/- (Rupees one lakh) shall be deposited through cash in the Nazarat of the Civil Court, East Champaran, Motihari.
- B. Rest amount i.e. Rs. 2,78,000/- (Rupees two lacs seventy eight thousand) shall be deposited in the Nazarat of Civil Court, East Champaran, Motihari, in four equal installments within a period of one year from the date of furnishing bail-bond.
- C. The aforesaid payment shall be subject to the final outcome of the case.
- D. If petitioner fails to comply the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioner.”

8. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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