

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30409 of 2025

Arising Out of PS. Case No.-95 Year-2024 Thana- Cyber P.S. District- Bhojpur

Dhiraj Kumar S/O Umesh Ray @ Umesh Yadav R/O Village- Jamira, P.S- Ara
Muffasil, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-08-2025 Heard Mr. Ravindra Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Bhojpur Cyber P.S. Case No. 95 of 2024 for the offence punishable under Sections 316(2), 318(4), 111, 317(2), 317(4), 317(5), 338, 340(1), 340(2), 3(5), 61(2) of the Bhartiya Nayay Sanhita, 2023 lodged on 06.12.2024 by the informant, Reema Devi.

3. As per the prosecution story, the informant alleged that her daughter's marriage was on 26.11.2024 and before that her son had an accident on 15.11.2024. After the accident, Reema Devi went to withdraw the money from Koilwar Station Road but could not withdraw the same. She was helped by the locals (accused) who also asked for the PIN number, however,



they chose to exchange the ATM Card, gave another ATM Card of Birendra Yadav and later it was realized that the same has been misused by withdrawing/purchasing items of worth Rs. 6,36,531/-. This led to the FIR.

4. Subsequently, the investigation took the case to the doors of the petitioner as also one Mukesh Kumar @ ATM.

5. Learned counsel for the petitioner submits that he has been implicated only because he alongwith Mukesh Kumar were coming out of the mall after purchase of items, had no knowledge that fake ATM Card is/are being used, has already suffered by being in custody since 15.01.2025 and the last submission is that he is ready to pay half of the amount (Rs.3,20,000/-) without accepting the allegation and/or consequence of the present bail application.

6. Mukesh Kumar has been granted bail another coordinate bench in Cr. Misc. No. 34600 of 2025 vide an order dated 04.06.2025 and he also showed his intention to pay Rs. 3,20,000/- .

7. Learned APP opposes the prayer stating that exchanging the ATM Card withdrawal were made to the tune of Rs. 6,36,531/-through Demand Draft issued by the local branch of the State Bank of India to be paid to the informant through



the concerned Court.

8. Considering the submissions of the parties as also the fact that he is in custody since 15.01.2025 and similar placed co-accused Mukesh Kumar has been granted bail, in that background, this Court is inclined to extend him the privilege of bail subject to payment of Rs.3,20,000/- through Demand Draft issued by the local branch of the State Bank of India to be paid to the informant through the concerned Court.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Bhojpur Cyber P.S. Case No. 95 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his 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 appear before the concerned police station every month for next one year to mark his



attendance;

(iv) 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;

(v) 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)

Ravi/-

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

