

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36089 of 2025

Arising Out of PS. Case No.-36 Year-2023 Thana- RUDRAPUR District- Madhubani

1. Sachin Kumar S/o Ajit Ram R/o vill - Kabirpur, P.s.- Shekhpura, Distt.- Shekhpura
2. Goutam Kumar S/o Late Parmeshwar Mahto R/o vill - Kabirpur, P.s.- Shekhpura, Distt.- Shekhpura
3. Satendra kumar S/o Brajanandan Prasad R/o vill - Kabirpur, P.s.- Shekhpura, Distt.- Shekhpura
4. Sangram Kumar @ Samgram kumar S/o Karan Singh R/o vill - Kabirpur, P.s.- Shekhpura, Distt.- Shekhpura
5. Santosh Kumar @ Kaushalendra singh Son of Late Saroj Singh R/o vill - Kabirpur, P.s.- Shekhpura, Distt.- Shekhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rudrapur P.S Case No. 36 of 2023 dated 22.03.2023 corresponding G.R. No. 536 of 2023 registered for the offence punishable u/ss 406, 419 and 420 of the Indian Penal Code.

3. As per the prosecution case, on 22.03.2023, someone offered loan of Rs. 10,00000/- through Dhani App by calling through mobile no. 6291506779, thereafter caller told the informant to deposit Rs. 3750/- and the informant paid the



said amount by phone pay, thereafter, the caller demanded Rs. 16,500/- for TDS and the informant paid the said amount, thereafter the caller again demanded Rs. 36,500/- for GST having mobile no. 8345911426 which is in the name of Dharamraj and the informant paid the said amount but again caller demanded Rs. 72,900/- and the informant paid the said amount on phone pay but again caller demanded Rs. 99,900/-, thereafter the informant suspected and realized that he has been cheated. The informant has alleged that total Rs. 1,29,650/- has been cheated from him.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the FIR. The name of the petitioners has sprung up in this case in the confessional statement of the co-accused Pankaj Singh. Nothing has been recovered from the conscious possession of the petitioners. It is further submitted that from perusal of the FIR, the informant made a call through mobile no. 629150779 and the informant paid the said amount from phone pay on mobile no. 8345911426 which is in the name of Dharam Raj not the petitioners. The petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated in



para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that there is direct allegation against the petitioners who involved in cheating and misappropriation of Rs. 1,29,650/-. It is further submitted that as per impugned order, it is mentioned that the witnesses have supported the prosecution case in Para- 4, 5 and 6 of the case diary,

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioners. It is not fit case for anticipatory bail of the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is hereby rejected and the petitioners are directed to surrender before the Court below concerned within six weeks from the date of this order and pray for regular bail, the learned Court below may consider the prayer for regular bail of the petitioners in accordance with law and on its own merits without being prejudiced by this order.

7. This application is rejected.

(Chandra Prakash Singh, J)

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