

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38115 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- BUXAR MUFFSIL District- Buxar

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Ajay Kumar S/o Late Suraj Singh R/o Village- Haroja, P.S.- Sikraul, District-
Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the State : Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-08-2025 Heard Mr. Shankar Kumar, learned counsel for the

petitioner as well as Mr. Mohammad Sufyan, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Buxar (Muffasil) P.S. Case No. 6 of 2025,
F.I.R. dated 03.01.2025 for the offences punishable under
Sections 406, 420, 467, 468, 471/34 of the Indian Penal Code.

3. According to prosecution case, the petitioner
along with other co-accused persons has cheated the informant
on the pretext of giving job.

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 although
the petitioner is named in the FIR, but from a bare perusal of the



F.I.R, it appears that the informant and other similarly situated co-accused persons have not deposited any amount in the account of the petitioner rather the informant and other similarly situated co-accused persons have deposited the amount in question in the bank account of the co-accused person, namely, Ranjan Kumar who happens to be the brother-in-law of the petitioner and the petitioner has been made accused merely on the ground that he is the brother-in-law of the co-accused, namely, Ranjan Kumar. It is further submitted that in the supervision note, name of the petitioner has not been transpired and the SDPO, Buxar in paragraph-25 of the case diary suggests that all the persons have deposited the amount in question in the bank account of the co-accused, namely, Ranjan Kumar.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner along with other co-accused persons has committed the present crime in question but fairly submits that no other cogent material has come during investigation in the case diary against the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and no cogent material has come during investigation in the case diary against



the petitioner, let the petitioner, above named, in the event of his 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 C.J.M., Buxar in connection with Buxar (Muffasil) P.S. Case No. 6 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 2023 and with other following conditions:-

i. 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.

ii. 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.

iii. 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)

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