

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40359 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- KATIHAR MUFFASIL District- Katihar

Manohar Kumar @ Monu Kumar S/O Upendra Singh @ Bhola Singh
Resident of village -Udamarekha, P.S -Muffasil ,District -Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Musowir, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 28-11-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Muffasil P.S. Case no.18 of 2025
registered under sections 126(2), 115(2), 303(2), 109, 61(2),
318(4), 352, 351(2) and 3(5) of B.N.S and Section 27 of the
Arms Act.

3. The allegation in the F.I.R. is that the mobile
phone of the informant's brother went missing on
17.01.2025. It is further stated that the said mobile phone
was subsequently activated and an amount of Rs. 9,99,30/-
was transferred from his account, out of which three
consecutive transactions were made on 17.01.2025 itself.



The informant has further alleged that when his brother demanded return of the said amount from the accused persons, namely Ajay Oraon and Monu Kumar (petitioner), they refused to return the money and also threatened him.

4. Learned counsel for the petitioner submits, at the outset, that the accused named in the F.I.R. is Monu Kumar, whereas the petitioner's name is Manohar Kumar. It is pointed out that the bank transaction in question reflects the name Monu Kumar, while the petitioner's bank account, which is brought on record as *Annexure-2* to the petition, clearly shows his name as Manohar Kumar. It is, thus, submitted that the petitioner has been implicated in the present case due to confusion and misunderstanding regarding identity. So far as allegation of firing is concerned, no injury report is available on record. The petitioner is in custody since 30.03.2025 and has no criminal antecedents. Charge-sheet has been submitted in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the above mentioned facts of the case and also considering the fact that there is a confusion with regard to complicity of the petitioner in the alleged crime, coupled with the fact that no injury report is



available on record and petitioner has remained in custody since 30.03.2025, the petitioner is directed to be enlarged on bail in connection with Muffasil P.S. Case no.18 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/Successor Court, subject to the further condition that he shall co-operate in the trial and appear in the trial Court on each and every date till framing of charge and in case he will not appear on two consecutive dates, without any substantial reasons, the prosecution is at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

Harsh/-

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