

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41391 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- BEERPUR District- Begusarai

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Pankaj Kumar @ Pankaj Son of Sikandra Tanti @ Sikandra Resident of
Village- Lakshmipur Ward No. 07, P.S.- Bipurur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Birpur P.S. Case No. 84 of 2025 registered for the alleged offences under Sections 319(2), 318(4), 303(2), 317(4), 317(5) of B.N.S. and Sections 66(C) & 66(D) of IT Act.

3. As per prosecution case, a youth came at CSC centre of the informant and got transferred Rs.10,000/- on UPI of the informant. When the money came, the informant made the payment to that person. Subsequently, the informant came to know that the person who transferred the money had already lodged a case of cyber crime for stealing of mobile phone and using the said mobile the money was transferred in the account of the informant. Subsequently, the petitioner again came at CSC centre of the informant and tried to get a transfer of



Rs.20,000/- but he was apprehended and was handed over to the police.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not earlier named in the FIR and no report was lodged by the informant for cheating or commission of any cyber crime by the petitioner. In the present case no offence is made out as no money was transferred or taken by the petitioner. Learned counsel further submits that it is not believable that the petitioner again came to CSC centre of the informant for again committing the same offence. Moreover, the informant must have taken the Aadhar details on the first occasion which is mandatory for transfer of the money. Learned counsel further submits that there is no recovery of any incriminating article from the petitioner showing his involvement in the alleged crime. The confessional statement of the petitioner has been recorded by the police and no case under BNS or IT Act is made out against the petitioner. The petitioner is having clean antecedent. The petitioner is in custody since 21.04.2025 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner, submission of charge sheet and period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Begusarai/concerned Court in connection with Birpur P.S. Case No. 84 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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