

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42873 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- Kavaia District- Lakhisarai

Sonu Kumar son of Rajesh Singh Resident of Village- Shadipur, P.S.-
Nardiganj, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kavaia P.S. Case No. 94 of 2025 dated 23.03.2025 registered for the offences punishable u/ss 303(2), 319(2), 318(4), 317(5) read with section 3(5) of the BNS.

3. As per the prosecution case, during withdrawing the money, the ATM card of the informant got stuck in the ATM machine, in the meantime, a miscreant asked him to call on a mobile no. 7033961058 for solution. When the informant made a call on the said number, thereafter, he received nine messages of withdrawing the total amount of Rs. 90,000/-. Thereafter, the



informant went to the Bank Manager and made a complain. Accordingly, the FIR has been registered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Gaurav Kumar @Chotu. It is further submitted that after verifying the CCTV, the co-accused Gaurav Kumar has been identified. The petitioner was not present at the place of occurrence. It is further submitted that Rs. 30,000/- has been recovered from the possession of the petitioner which is his own money. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that as per para 25 of the case diary, the petitioner along with the co-accused was also found present in the said ATM and Rs. 60,000/- from the possession of the co-accused Gaurav Kumar and Rs. 30,000/- from the possession of the petitioner were recovered.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai in connection with Kavaiya P.S. Case No. 94 of 2025, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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