

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46123 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- Kotwali District- Darbhanga

Mithun Kumar S/o Vinod Ray R/o vill - Morsan Ratan, P.S- Meenapur, Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kotwali P.S. Case No. 11 of 2024 instituted for the offence
under Sections 379 & 420 of the Indian Penal Code.

3. The informant reported that on 25/05/2024, while
her husband was withdrawing money at Donar SBI ATM, four
unknown persons entered and watched the transaction. They
allegedly swapped his ATM card with that of one Surendar
Prasad Mandal. Subsequently, the accused illegally withdrew
Rs. 94,669/- on 25/05/2024 and Rs. 92,800/- on 26/05/2024.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 12-11-2024. Petitioner



bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of self-confessional statement recorded in connection with Kamtaul PS Case No. 283 of 2024. Nothing has been recovered from the possession of the petitioner. Petitioner was not even put on T.I. Parade. There is no eye witness to the occurrence. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Kotwali P.S. Case No. 11 of 2024, subject to the following



conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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