

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52600 of 2025

Arising Out of PS. Case No.-73 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

Viresh Rai S/o Late Ravindra Rai R/o Village- Sonarapur, P.S.- Kesariya,
District- East Champaran at Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kamal Rai, S/o Late Banaras Rai, R/o village and P.O.- Madhopur Hajari,
P.S. Sahebganj, Dist.- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 22-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 420, 406, 467, 468 and 471 of the Indian Penal Code.

3. The case of the prosecution is based on complaint petition alleging that when the informant went to Central Bank ATM centre to withdraw money, due to ignorance in operating ATM machine, he handed over his ATM Card to the petitioner for withdrawing cash. It is further alleged that in the meantime, petitioner exchanged the ATM Card of the complainant and subsequently, transferred an amount of Rs. 1,07,500 from the



account of the complainant. It is alleged that since the complainant is illiterate, he could not verify at that time that his ATM card had already been exchanged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted the petitioner himself was cheated by the Cyber fraud and that he is also an illiterate person. It is further submitted that the petitioner filed his bank account statement, from which, it is evident that only a sum of Rs. 40,000/- was credited to his account from the account of the complainant. It is further submitted that the petitioner is ready and willing to return the said amount to the complainant within a period of two months after his release from custody. Moreover, the petitioner is languishing in judicial custody since 31.05.2025 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sahebganj P.S. Case No. 73 of 2018 on furnishing bail bond of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned
ACJM-2nd, West Muzaffarpur, subject to the condition that the
shall pay an amount of Rs. 40,000/- to the complainant within a
period of two months after being released from jail.

(Ashok Kumar Pandey, J)

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