

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73451 of 2025

Arising Out of PS. Case No.-314 Year-2025 Thana- DEEPNAGAR District- Nalanda

Endel Kumar @ Indal Kumar @ Inden Kumar S/o Arbind Yadav R/o Village-
Tandapar, P.S.- Deepnagar, District- Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Abhijeet Gautam, learned counsel for the

petitioner and Mr. Anand Kishore Choudhary, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Deepnagar P.S. Case No. 314 of 2025, F.I.R. dated 18.07.2025 for the offences punishable under Sections 316(2), 303(2), 319(2), 318(4), 338, 336(3), 340(2), 61(2) and 3(5) of the B.N.S, 2023 and Section 66(C) and 66(D) of the I.T. Act.

3. According to prosecution case, this petitioner along with other accused persons are involved in cyber fraud.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of



confessional statement of the co-accused, namely, Vijay Kumar. Apart from that, the owner of the recovered mobile phone in question is the co-accused person and the petitioner has no concern at all with the co-accused or the mobile phone in question which was recovered from the possession of the co-accused and except the disclosure made by the co-accused, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and even no one suggests that the petitioner has received any amount from any person.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and he has been made accused on the disclosure made by the apprehended co-accused persons, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Deepnagar P.S. Case No. 314 of 2025, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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