

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75012 of 2024

Arising Out of PS. Case No.-224 Year-2024 Thana- MADHUBAN District- East Champaran

1. Pramila Devi Wife of Radhe Mohan Bhagat @ Radhe Mohan village-
Madhhaha, P.S. -Madhuban, District -East Champaran
2. Amresh Kumar Son of Radhe Mohan Bhagat @ Radhe Mohan village-
Madhhaha, P.S. -Madhuban, District -East Champaran
3. Krishna Kumar son of Dev Narayan Singh village- Ujhilpur, P.S.- Rajepur,
District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Romi Kumar S/O- Lalu Sah, V/O- Machchha, ward no. 13 P.S-Madhuban, dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Patanjali Rishi, Advocate
For the Opposite Party/s	:	Mrs. Sharda Kumari, APP
For the UOI	:	Mr. Bindhyachal Rai, Sr. Panel Counsel
For the Informant	:	Mr. Suraj Kumar Tiwary, Advocate
		Mr. Akshay Tripathi, Advocate
For the Bank	:	Mr. Abhinay Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

11 04-08-2025 Heard Mr. Patanjali Rishi, learned counsel for
the petitioners, Mr. Bindhyachal Rai, learned senior counsel for
the UOI, Mr. Suraj Kumar Tiwary, learned counsel appearing on
behalf of the informant, Mr. Abhinay Raj, learned counsel for
the Indian Post Payment Bank as well as Mrs. Sharda Kumari,
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Madhuban P.S. Case No. 224 of 2024, F.I.R. dated 07.06.2024 for the offences punishable under Sections



420, 467, 468 and 34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons have opened the bank account of informant and other persons in a fraudulent manner and withdrew lakhs of rupees from their accounts.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. As per the allegation in the F.I.R, the petitioners have persuaded the informant to open bank account in Indian Post Payment Bank without any due process of law. He further submits that the bank account of the informant was open after the due process of law i.e., after biometric verification and aadhar card authentication.

5. The learned counsel appearing on behalf of the UOI, informant, Bank as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners and fairly submits that the allegation as alleged is not supported by any document of the informant which was pending in the Indian Post Payment Bank which suggest that



after due verification the bank account of the informant was open by the authority concerned.

6. Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, East Champaran in connection with Madhuban P.S. Case No. 224 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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