

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.76006 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- ARARIA District- Araria

Indradev Kumar Son of Dashrath Sah Resident of village and P.S.- Simri Bakhtiyarpur, District - Saharsa. At present - Near Anarpurna Mandir, Bhatraha, Ward No.- 27, P.S.- Saharsa, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Subesh Sharma, learned counsel for the petitioner and Mr. Upendra Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Araria P.S. Case No. 110 of 2025, F.I.R. dated 12.03.2025 for the offences punishable under Sections 316(2), 318(4) and 3(5) of the BNS, 2023 and Section 6 of the Bihar Protection of Interest of Depositors in Financial Establishment Act.

3. According to prosecution case, one person namely, Robin along with other accused persons have defrauded the informant and other women in the name of giving them loans



and have fled away with an amount of more than Rs. 10,00,000/-.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case on the basis of the disclosure made by the apprehended co-accused persons, namely, Sunil Kumar and Jay Ram Kumar. It appears from the F.I.R itself that the petitioner is not named in the F.I.R and except the confessional statement/disclosure made by the apprehended co-accused persons, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. Even the informant has not stated anywhere about the petitioner in the F.I.R and he has not received any amount from the informant or from any other 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, he is not named in the F.I.R and on the disclosure of the apprehended co-accused his name has been transpired in the present case and there is no allegation against the petitioner, let the petitioner, above named,



in the event of his 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, Purnea in connection with Araria P.S. Case No. 110 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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