

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82323 of 2025

Arising Out of PS. Case No.-687 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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MANGALAM PATEL S/o PRABHAKAR PATEL R/o vill - Miscot, P.S. -
Motihari Town, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Town
Thana P.S. Case No. 687 of 2024, instituted for the offences
punishable under Sections 318(4), 303(2) and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the informant
is a hawker and has reported that on 23.10.2024 he was cheated
of Rs. 37,800/- by men pretending to help him to deposit money
at an SBI ATM in Motihari. When he later identified one of the
accused at another ATM, police apprehended two suspects, the
petitioner and co-accused Anurag Kumar, recovering 15 ATM
cards and other items.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that due to mistake of identification by the informant, petitioner was arrested on the basis of suspicion and at the time of chasing the offender, real culprit fled away and petitioner has become victim of the circumstances. It is next submitted that there is delay of three days in lodging the FIR without any plausible explanation. The petitioner is in custody since 27.10.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 07.07.2025 passed in Cr. Misc. No. 8351 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Town Thana P.S. Case No. 687 of 2024.

(Rudra Prakash Mishra, J)

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