

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11225 of 2026

Arising Out of PS. Case No.-490 Year-2025 Thana- PAHARPUR District- East Champaran

Vivek Kumar S/o Dilip Yadav Resident of Village- Vrit5 Ram Nagar, P.S.-
Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 10-04-2026 Heard learned counsel for the petitioner and the learned
APP for the State.

2. The petitioners have prayed for bail in connection with Paharpur P.S. Case No. 490 of 2025 registered for the offence punishable under Sections 318(4), 338, 336(3) of the B.N.S., 2023.

3. The case of the prosecution, in short, is that the Vivek Kumar (the petitioner), Ravi and Vikas, three persons assured the informant of providing employment and on this instance, a savings account was opened in Small Finance Bank. On 10.09.2025, Rs. 9,50,500/- was credited to the account of the informant. It is further alleged that all the named accused persons arrived and Ravi Kumar told him to transfer five lakh rupees to another account, which was transferred by the



informant. After that, from that account, the informant withdrew five lakh rupees and handed it over to Ravi and Vikas. It is further alleged that Ravi again told the informant to transfer three lakh rupees into the account of Bhim Kumar; the same was transferred by him. It is further alleged that Ravi Kumar purchased a golden chain of Rs. 79,382/- and the same was paid by him and after that the accused persons have stopped contacting the informant and they are not picking up the phone of the informant.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that from perusal of the FIR, it is clear that the main thrust of the allegation is against co-accused, Ravi and it is also clear that regarding Four lakh rupees, it is stated that from the Bank of Baroda, this sum was withdrawn on the instruction of co-accused, Ravi and after that, the same was handed over to Ravi and Vikas. He also submits that from perusal of the order of the learned trial court, it transpires that nothing has been recovered from the possession of this petitioner rather the recovery has been made from the house of co-accused Ravi Kumar and Sunny Kumar. He further submits that similarly situated co-accused persons have been granted bail by this court vide Cr. Misc. No.



11556 of 2026. Moreover, the petitioner has no criminal antecedent and he is languishing in judicial custody since 20.09.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IX, East Champaran, Motihari in connection with Paharpur P.S. Case No. 490 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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