

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15830 of 2026

Arising Out of PS. Case No.-429 Year-2025 Thana- RAMGARHWA District- East
Champaran

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Dhiraj Kumar Son of Mukesh Prasad @ Mukesh Kumar R/o Village - Kanti
Tiwary Tola, P.S. - Kanti, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Pandey, APP
For the Informant	:	Mr. Madhurendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 23-04-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection
with Ramgarhwa P.S. Case No. 429 of 2025 registered for the
offence punishable under Sections 318(4) and 303(2) of the
BNS.

3. The case of the prosecution, in short, is that the
informant has gone at the ATM for withdrawing cash. It is
further alleged that his ATM card was changed by the certain
miscreants and he was given the ATM card of one Shagufta Javi.
It is further alleged that on 25.10.2025, the informant came to
know that he has been cheated and from 23.10.2025 to
25.10.2025, altogether Rs.1,15,428/-, illegally withdrawn from



his bank account. On 25.10.2025, the informant blocked his ATM card.

4. Learned counsel appearing on behalf of the petitioner has submitted that from perusal of the FIR, it is clear that the petitioner was not identified in the ATM, where it is alleged that he has exchanged the ATM of the informant. During course of investigation, in para 36 of the case diary it has come that the petitioner has withdrawn Rs. 25,000/- through POS machine from a petrol pump and in the CCTV footage he was identified. Learned counsel for the petitioner submits that he has not withdrawn any amount.

5. The application for bail is opposed by learned counsel for the informant and learned APP for the State and submitted that during investigation at para 18 and para 36 of the case diary it has come that the cash which was withdrawn through POS machine from a petrol pump was withdrawn from the bank account of the informant and the petitioner was identified in CCTV footage. So, this much is clear that Rs. 25,000/- has been withdrawn by the petitioner from the bank account of the informant.

6. Learned counsel for the petitioner submits that he is ready to return the same.



7. 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 **with the condition that the petitioner shall deposit Rs. 25,000/- at the time of submission of his bail bonds in the court/ Nazarath, subject to the final result of the case.** 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 court of learned S.D.J.M., Raxaul, East Champaran, in connection with Ramgarhwa P.S. Case No. 429 of 2025.

(Ashok Kumar Pandey, J)

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