

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18798 of 2025

Arising Out of PS. Case No.-157 Year-2024 Thana- AURAI District- Muzaffarpur

Prakash Mohan Mishra S/o- Madan Mohan Mishra Resident of Village-
Dharharwa, P.S.- Aurai, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the State : Mr.Shyam Kumar Singh, APP
For the Informant : Mr.Pradip Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

10 11-03-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner seeks bail in connection with Aurai
P.S. Case No. 157/2024 registered for the offences punishable
under Sections 406 and 420 of I.P.C.

3. As per the prosecution case, accused Prakash
Mohan Mishra(petitioner) impersonated a CID Inspector and
fraudulently extracted money from informant Bipin Kumar and
his relatives on the pretext of providing government jobs at the
National Human Commission. In total, approximately Rs. 12
Lakh was collected from multiple victims, but neither jobs were
provided nor money refunded.

4. Learned counsel for the petitioner submits that the



petitioner has handed over a demand draft of Rs. 3,00,000/- to the informant in the court below. Learned counsel further relying upon the judgment of this Court in the case of Kapil Kamboj vs. State of Bihar and Anr. in Cr. Misc. No. 15133/2023 submits that no offence is made out in the facts of the case and the allegations of the case. It is lastly submitted that the petitioner has one criminal antecedent in which he is on bail and he is in custody since 14.12.2024. The petitioner undertakes to co-operate in the case/ trial.

5. From the allegations levelled against the petitioner in the FIR it appears that the informant has alleged that the petitioner has cheated the informant and others of Rs. 12 lakhs in the name of providing jobs. The petitioner was granted interim bail by this Court.

6. Considering the judgment of Hon'ble Supreme Court in the case of **Deepak Kumar Shrivastava and Anr. vs. State of Chhattisgarh and Ors.** reported in **(2024) 3 SCC 601**, I am of the view that the offence as alleged against the petitioner is not made out, therefore, the interim bail granted to the petitioner is hereby confirmed.

7. Accordingly, the interim bail granted to the petitioner vide order dated 12.05.2025 is hereby confirmed and



he will remain on the same bail bond as executed by him at the time of provisional bail.

8. This application is allowed.

(Sandeep Kumar, J)

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