

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31935 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- ATRI District- Gaya

Shankar Kumar S/O Late Mundrika Yadav Village- Daulatpur Tola, Gulabi,
Ps- Atari, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Jay Shankar Prasad Singh
For the Opposite Party/s :	Mr. Jharkhandi Upadhyay, APP
	Mr. Lalan Kumar
For the Informant :	Mr. Sheo Kumar Prasad.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

13 16-04-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Atari P.S. Case No. 18 of 2025 registered for the offence under
Section(s) 316(2), 318(4) and 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. As per the prosecution case, the petitioner is
accused of cheating the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has not committed any offence.
Petitioner is in custody since 10.01.2025. Learned counsel, on
instructions from the petitioner's wife, further submits that the
petitioner, without admitting his guilt and without prejudice to



his case, is ready to return an amount of Rs. 5,00,000/- to the informant.

5. Learned A.P.P. for the State and the learned counsel for the Informant have submitted that they have no objection if the aforesaid amount is returned to the informant.

6. Considering the aforesaid facts and circumstances and the submissions advanced on behalf of the parties, the petitioner is granted regular bail.

7. Accordingly, let the petitioner, above named, be released on ***Provisional Bail*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Atari P.S. Case No. 18 of 2025 subject to following conditions that:-

(i) The petitioner shall pay a sum of Rs. 2,00,000/- (Rupees Two Lakh) to the informant by way of Demand Draft at the time of furnishing bail bonds.

(ii) The remaining amount of Rs. 3,00,000/- (Rupees Three Lakh) shall be paid to the informant by way of Demand Draft within a period of four months from the date of release of the petitioner.

(iii) The Demand Draft(s) shall be prepared in the name of the informant and shall be handed over in presence of the learned Court below, which shall ensure proper acknowledgment/receipt of the same.

(iv) The petitioner shall mark his attendance at the Atari Police Station on every Sunday of each month. Any default in



appearance shall entail cancellation of the bail bonds.

(iv) The petitioner shall appear in the trial regularly, either personally or through his counsel, and shall cooperate with the trial. Non-cooperation shall result in cancellation of the bail bonds.

(v) In case of failure to comply with the payment conditions stipulated herein, the provisional bail granted to the petitioner shall be liable to be cancelled automatically.

(vi) One of the bailors shall be the wife of the petitioner, and the other shall be a close blood relative of the petitioner.

8. With the aforesaid observations and directions, this application is disposed of with liberty to the informant to move this Court for recall of the present order in the event the petitioner fails to comply with the aforesaid terms and conditions.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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