

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83635 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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Raja Babu Son of Shamim Alam Resident of Village - Jaukatiya, P.S. -
Majhauriya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

Mr. Hemant Ray, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-01-2026 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Choubey Jawahar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.08.2025 in connection with Motihari Town P.S. Case No. 229
of 2025, F.I.R. dated 18.03.2025 for the offences punishable
under Sections 319(2), 318(4), 303(2), 338, 336(3), 340(2) and
3(5) of the BNS, 2023.

3. According to prosecution case, the apprehended co-
accused person who disclosed the name of the petitioner has
confessed that he along with his associates used to commit
cyber fraud by changing ATM Cards from the innocent people.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the petitioner is named in the F.I.R and his name has been transpired during investigation on the basis of confessional statement of the co-accused Asfak Alam. Nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the co-accused person and except the aforesaid, no other cogent material has come during investigation which suggest that the petitioner is involved in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 19.08.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents other than the present one but fairly submits that he is on bail in two cases and one case is pending for consideration before the competent court of law.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran, Motihari in connection with Motihari Town P.S.



Case No. 229 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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