
In the Court of Sessions Judge, East Champaran at Motihari.

Present:-

Abhishek K. Das
Sessions Judge,
East Champaran at Motihari

Bail Petition No. 630 of 2026

Nishant Kumar, aged about 21 years, S/o- Ganesh Bhagat.

R/o village- Kasi Pakri, P.S. Rajepur, District- Muzaffarpur.

-----Petitioner.

Versus

The State of Bihar

----- Opposite party.

Counsel for the Petitioner

:- Sri Mukesh Kumar, Advocate.

Counsel for the State

:- Sri Khublal Prasad, Public Prosecutor.

18.03.2026

This bail petition is filed on behalf of the petitioner, namely, Nishant Kumar, who is in judicial custody since 23.02.2026 in connection with Madhuban P.S. Case No. 224 of 2024 for the offences u/ss 420, 467, 468/34 of Indian Penal Code.

In para-2 of the bail petition, it is mentioned that no other regular or anticipatory bail petition has been filed on behalf of the petitioner either in this court or before any other superior Court. As per para-3 of the bail petition, the petitioner has one criminal antecedent vide Muzaffarpur P.S. Case No. 35/2024 u/s 419, 420 of IPC and 66(C)(D) of I.T. Act. As per para-4 of the bail petition, the petitioner is in judicial custody since 23.02.2026.

As per F.I.R., in February, 2024 Amresh Kumar lured the informant Romi Kumari and several other persons of their village and opened their bank account in Indian Post Payment Bank by taking their photocopies of Aadhaar cards. Nishant Kumar (petitioner) had taken the thumb impressions of all the account holders. It is further alleged that Nishant Kumar (petitioner), Amresh Kumar and Krishna Kumar deposited money in everyone's accounts in a fraudulent manner. They got their mobile numbers registered and withdrew lakhs of rupees from everyone's accounts. When the bank sent notices to everyone, the informant and others came to know about it. It is further alleged that in this occurrence mother of Amresh Kumar, namely, Pramila Devi is also involved.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has committed no offence. The entire allegation against the petitioner is

vague, omnibus and purely bald in nature, and no specific overt act of illegal withdrawal or wrongful gain has been attributed to him except general and mechanical allegation. Nothing incriminating has been recovered from the possession of the petitioner. Even if the allegation of taking thumb impression is accepted for argument's sake, the same does not by itself constitute the alleged offence without proof of dishonest intention or wrongful gain. It is further submitted that co-accused have been granted anticipatory bail by the Hon'ble Patna High Court vide Cr. Misc. No. 75012/2024. On these basis, it is prayed to allow this bail petition.

The learned Public Prosecutor appearing on behalf of the State and learned counsel appearing on behalf of the informant have opposed the prayer for bail on the basis of materials available on the record.

Heard both sides and perused the record. From perusal of the record, it appears that the petitioner is named in the F.I.R. with the allegation that he alongwith other co-accused persons have opened the bank accounts of the informant and others in fraudulent manner and withdrew lakhs of rupees from their accounts, but there is no any specific details of wrongful gain on the part of the petitioner. Three co-accused persons have been granted anticipatory bail by the Hon'ble Patna High Court vide Cr. Misc. No. 75012 of 2024 and the case of the petitioner stands on similar footing. This is a regular bail and the petitioner is in judicial custody since 23.02.2026. As per para-3 of the bail petition and para-16 of the case diary, the petitioner has one criminal antecedent.

Considering the above facts, I am inclined to enlarge the petitioner on bail. Accordingly, the petitioner **Nishant Kumar** is ordered to 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 court below in the aforesaid case, subject to condition that the petitioner shall co-operate in investigation.

(Dictated)

Sd/-

Sessions Judge
East Champaran at Motihari
18.03.2026