

In the Court of Addl. Session Judge – XIII, Patna

A.B.P. No. 1018/2026

Poonam Devi, Ashish Kumar and Ayush Kumar Vs. State of Bihar

Advocate for Petitioner – Vikky Kumar

Advocate for State - Ld. A.P.P

11.05.2026

1. The present anticipatory bail petition A.B.P. No. 1018/2026 dated 11.03.2026 has been filed on behalf of accused persons namely **Poonam Devi, Ashish Kumar and Ayush Kumar** arising out of Digha PS Case No. 138/2026 under Sections 303(2), 318(4) and 3(5) of BNS.

Story of the prosecution

2. The prosecution story in short is that Vijay Kumar alleged that his relatives Ashish Kumar and Ayush Kumar along with their mother Poonam Devi, gained his trust in August 2025 and took access to his four credit cards on the pretext of financial need. They allegedly made unauthorized withdrawals totaling around 2.8 lakh and also pressured him into taking online loans through apps like Navi. Despite repeated assurances to repay the money and return the cards, they failed to do so and later threatened him, claiming no legal action could be taken because the cards were in his name. Due to the debt burden, the complainant states that he is facing severe financial hardship, mental stress and physical distress. He has requested legal action against the accused and protection for his life and property, attaching Whatsapp conversations as evidence.

Argument on behalf of accused/petitioner

3. The Learned counsel appearing on behalf of accused/petitioners has submitted that the petitioners are quite innocent and committed no offence. The entire prosecution story arises out of a longstanding family relationship and financial interaction between close relatives. The monetary transactions between the parties were continuous, voluntary and reciprocal in nature. The consistent pattern of transactions over several months demolishes the allegation of cheating at inception. All alleged transactions were routed through traceable banking platforms such as UPI and Google Pay. The FIR was lodged after considerable delay despite the alleged credit card transactions having taken place months earlier. The dispute is purely financial in nature and has a civil flavour. The petitioners are ready to abide by all the terms and conditions which may be imposed by this Id. Court.

Argument on behalf of State

4. On the other hand, the learned A.P.P. appearing for the State has opposed the prayer of bail petition and has prayed to reject the anticipatory bail petition.

Criminal History

5. Not applicable.

Discussion

6. Heard both the sides. I have gone through CD and other materials available on the record. **There is no serious allegation against the petitioners.**

Conclusion

7. In the light of above facts and circumstances of the case, this Court is inclined to grant **privilege of anticipatory bail** to the above named accused persons and therefore, this anticipatory bail petition of above named petitioners is hereby **granted**. Let the petitioners be released on their arrest/surrender **within 15 days from the date of receiving this order** on furnishing bail bond of 10,000 with two sureties of like amount each with condition given under Section 482(2) of BNSS, 2023.

(Dictated)

SD/-

(Avinash Sharma)

Addl. Sessions Judge – XIII

Patna

11.05.2026