

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44539 of 2014

Arising Out of PS.Case No. -244 Year- 2014 Thana -GANDHIMAIDAN District- PATNA

Sunil Kumar S/o Shri Nagendra Prasad Sharma Resident of Village - Ghaghara, P.S. - Sahpur, District - Patna. At present 409, Nehru Nagar, Patliputra Colony, P.S. - Patliputra, District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.45695 of 2014

Arising Out of PS.Case No. -244 Year- 2014 Thana -GANDHIMAIDAN District- PATNA

Rajesh Kumar S/o Late Ganga Prasad resident of Bidurti Hata, P.S.- Siwan Mufasil Thana, District- Siwan-841226

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.44539 of 2014)

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Bipin Kumar

For the Opposite Party/s : Mr. R.B.S. Pahepuri (App)

(In Cr.Misc. No.45695 of 2014)

For the Petitioner/s : Mr. N. K. Agarwal, Senior Advocate
Mr. Sanjay Kumar Gupta, Adv.

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 04-03-2015 Both these applications arise out of Gandhi Maidan P. S. Case No. 244 of 2014 for the offence punishable under Sections 419, 420, 467, 468, 471, 120(B) of IPC & 66, 72, 75 Information Technology Act, 2008.

Heard both sides.

It is submitted that the names of the petitioners have appeared in the statement of Ranjeet Kumar who was apprehended by the police and from whose possession a number of ATM cards, mobile phone, cash, pocket diary and other articles were recovered. He disclosed that he used to draw money through ATM cards on receiving direction from Pakistan through phone calls and SMS and the money was got deposited by public in the account relating to alleged recovered ATM cards on giving deception of different lottery plan.

It is further submitted that money has also been recovered from the possession of Ranjit Kumar. During investigation both the petitioners were arrested. Petitioner Sunil Kumar is the Chief Cash Officer of Camper Concast Limited and petitioner Rajesh Kumar is a dealer in iron rod and he purchased iron rod from Camper Concast. The petitioners have also made confession before the police. No incriminating articles have been recovered from the possession of the petitioners. They have no criminal antecedents. Moreover, after investigation charge-sheet has already been submitted against the petitioners. Petitioners Sunil Kumar and Rajesh Kumar are in custody since 26.7.2014 and 9.8.2014 respectively.

Considering the facts and circumstances, the above named petitioners are directed to be released on bail on furnishing bail bond of Rs.50,000/- (fifty thousand only) each with two **genuine** sureties of the like amount each to the satisfaction of Sri Prabal Dutta Judicial Magistrate, 1st Class, Patna /court concerned in Gandhi Maidan P. S. Case No. 244 of 2014 ***after framing of charge*** with following conditions:-

1. The petitioners will not indulge themselves in similar or any other offence.
2. The petitioners will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, their bail bonds would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

Kanchan/-

U		T	
---	--	---	--