

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42236 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -BAHADURPUR District- PATNA

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Manoj Kumar Son of Madan Mandal, R/o Village- Daulatpur, Ward No.1,
P.S.- Jamui, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bahadurpur
P.S. Case No. 101 of 2017 read with G.R. No. 1866 of 2017
for offences punishable under Sections 420, 467, 468, 471
and 120B of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that he received secret information that some
gang is involved in duping the people of their money on the
pretext of depositing the money for quick return in the bank.
The gang takes out the money through A.T.M.. The petitioner
and other co-accused were apprehended and raid was
conducted in the house of the petitioner and from his



possession some cash and A.T.M. cards were recovered. Accordingly, seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and none of the persons have come forward claiming that the money deposited has been duped by any person. He submits that no overt act has been alleged to have been committed and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and the petitioner is languishing in judicial custody since 31.05.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the apprehended petitioner was the part of the gang operating by duping persons by assuring quick return on their deposits in bank and as many as 18 A.T.M. cards have been found in the possession of the petitioner and it is very improbable that the person would keep so many A.T.M. cards of the banks.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Bahadurpur P.S. Case No.101 of 2017 read with G.R.



No. 1866 of 2017, pending in the court of learned Additional
Chief Judicial Magistrate-11nd, Patna City, District-Patna.

The application is, accordingly, rejected.

However, the petitioner may renew his prayer for bail
after framing of the charge.

(Nilu Agrawal, J)

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