

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 49435 of 2017

Arising Out of PS.Case No. -257 Year- 2017 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

=====

1. Ashok Kumar, S/o Late Jay Nth Ram, R/o Village- Bilari , P.S.-
Katrisarai, District- Nalanda.

2. Ram Khelawan Chaudhary S/o Gopal Chaudhary , R/o Village- Maira,
P.S.- Katarisarai, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Rabindra Prasad Singh, Advocate
For the S t a t e : Mr Jagdhar Prasad, APP

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in a case registered under
Sections 419, 427, 467, 468, 471, 120B of Indian Penal Code and
Section 66 of IT Act.

On the basis of secret information, raid was
conducted at the *Dalan* of accused Anandi Chaudhary. It is
alleged in the first information report that the accused persons
were running a centre of *Nap-Taul* and duping the customers by
giving allurements of winning prizes. Counsel for the petitioners
submits that from perusal of the seizure list, it would be quite



evident that other than details of some customers with mobile phone numbers and the mobile phones of the accused persons, there has been no recovery of any illegal substance from the petitioners. It is further submitted that the petitioners have been implicated in this case on the basis of suspicion and till date, there is no complaint against the petitioners, as alleged in the FIR by any independent person. The petitioners deny the allegations of cheating. It is also brought to the notice of the Court that another co-accused, similarly situated as the petitioners, has been granted bail vide Bail Petition No 959 of 2017 by the Additional Sessions Judge I, Nalanda at Biharsharif. The petitioners are in custody since 18.08.2017 and that, prior to the instant case, there is no criminal antecedent of the petitioners.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioners above named be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Nalanda at Biharsharif in Giriyak (Katarisarai) Police Station Case No 257 of 2017 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor



will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the affidavit shall clearly state that the petitioners are not accused in any other case and if they are, they shall not be released on bail.

(iii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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

