

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39675 of 2019**

Arising Out of PS. Case No.-408 Year-2018 Thana- GAYA RAIL P.S. District-
Gaya

=====

SHIV SHANKAR SINGH @ SHIV SHANKAR KUMAR, male, aged about 28
years, S/o Uma Shankar Singh R/o village- Maharaj Bigha, P.S.-
Khizarsarai, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Manish Kumar No2, Advocate.

For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 23-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 420, 467, 468, 471, 379, 411 and 34 of the
Indian Penal Code and Section 66(A) of the Information and
Technology Act registered in connection with Gaya Rail P.S. Case
No. 408 of 2018.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion and except the confessional
statement of co-accused Bunti Kumar @ Chakrapani, there is no
objective material to connect the petitioner with the alleged
occurrence. In his confession, the said co-accused Banti Kumar @
Chakrapani has named five other persons as his associates in his
activities of cloning ATM cards and making fraudulent
withdrawals from ATMs. The petitioner is said only to have
brought the said co-accused Banti Kumar on his motorcycle to
the Railway station where the ATM was located but no specific role



with regard to the forged ATM cards has been assigned to the petitioner who claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Gaya in connection with Gaya Rail P.S. Case No. 408 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Ibrar//-

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

