

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78096 of 2018

Arising Out of PS. Case No.-506 Year-2018 Thana- MUFFASIL District- West Champaran

Rahul Kumar S/o Bacchan Lal Sah @ Bacchan Sah, R/o Vill.- Hardiya, Ward
No. 15, P.S.- Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar

For the Opposite Party/s : Mr.Sri Vinod Shankar Modi

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Muffasil P.S. Case No. 506 of
2018 registered for the offence punishable under Sections 420,
406, 379 and 34 of the Indian Penal Code and under Section 66
(D) I.T. Act.

Informant who is a police officer in his written
complaint has alleged that on secret information when he went
to the place of occurrence he found two accused, namely, Amit
Kumar and Niraj Kumar in a suspicious condition and on
interrogation they disclosed that they cheated the people in the
name of lottery and withdrew money from their ATM.

It has been submitted on behalf of the petitioner that
his name has surfaced in this case on the confessional statement



made by the co-accused, Amit Kumar and Niraj Kumar, and except said confessional statement, there is no any other incriminating material against the petitioner. There is no specific allegation of any overt act against the petitioner and allegation against him is to help accused. Petitioner has no criminal antecedent and he is in custody since 21.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M. Bettiah in connection with Muffasil P.S. Case No. 506 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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