

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 1893 of 2020**

Arising Out of PS. Case No.-359 Year-2019 Thana- TEGHRHA District- Begusarai

KUNDAN KUMAR Son of Bipin Kumar Resident of Village- Gokhula, P.S.-
Sikandra, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Teghra Police Station (for
brevity, *PS*) Case No 359 of 2019 dated 14.10.2019 instituted
for the offence punishable under Section (s) 414, 420, 467, 468,
471, 120B/34 of Indian Penal Code.

Prosecution alleges that certain information was received
regarding a Bolero vehicle being parked near a State Bank of
India ATM and upon suspicion that some fraud was likely to
occur, the informant (Assistant Sub Inspector of Police)
proceeded for enquiry. The petitioner and others were
apprehended at the said place. From the petitioner's possession,
5 ATM cards and one Samsung mobile phone was recovered.



Petitioner's counsel submits that merely on suspicion, the petitioner has been arrested. There is no allegation of any fraud having been committed by the petitioner, neither is there any recovery of any stolen article from the petitioner's possession. Other similarly situated, as the petitioner, namely, Dilkhush Kumar @ Dilkush Kumar, who was also arrested from the same spot, had moved for grant of bail and the prayer was allowed by this Court in Cr Misc No 84536 of 2019 subject to fulfilling three months in custody, which shall be completed tomorrow. Petitioner's claim is also based on parity with Dilkhush Kumar @ Dilkush Kumar. It is also submitted that the petitioner has no criminal antecedent. The petitioner would also complete three months custody tomorrow.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in Teghra PS Case No 359 of 2019 dated 14.10.2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how



he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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