

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 4006 of 2020**

Arising Out of PS Case No.-480 Year-2019 Thana- CIVIL LINE District- Gaya

Aayush Kumar, aged about 19 years, Male Son of Manoj Kumar Resident of
Mohalla - Chand Chaura, P.S.- Vishnupad, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Yadav, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 04-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Sunil Kumar Yadav, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Civil Line PS Case No. 480 of 2019 dated 19.10.2019 instituted under Sections 379, 420 and 120B of the Indian Penal Code.

4. The allegation against the petitioner and two others is that they had indulged in fraud in financial transaction through Internet from the Bank account of the petitioner.



5. Learned counsel for the petitioner submitted that the police has not found any direct evidence against the petitioner and that he was used by the two other co-accused for getting an account opened in his name but the transactions in the same was not within his knowledge. It was further submitted that the petitioner has no other criminal antecedent and is in custody since 20.10.2019.

6. Learned APP, from the case diary, submitted that in the account of the petitioner nearly Rs. 2,98,397/- was deposited and Rs. 2,97,162/- was also withdrawn. It was submitted that it has come during investigation that three accused were committing such crime through the Bank account of the petitioner and he was getting 10% of the transaction as his share.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in Civil Line PS Case No. 480 of 2019 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that



the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P.Kumar/Anand Kr.

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