

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.15665 of 2020**

Arising Out of PS. Case No.-379 Year-2019 Thana- KHAIRA District- Jamui

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Banti Kumar @ Surya Kumar, aged about 19 years (Male), Son of Pradeep Razak Resident of Village - Barautta, Police Station - Jamui, District - Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate  
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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

**Date : 15-06-2020**

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

2. Heard Mr. Surendra Kumar Mishra, learned counsel for the petitioner and Mr. Umesh Lal Verma, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Khaira PS Case No. 379 of 2019 dated 16.12.2019 instituted under Sections 419/420/467/468/120B/471/34 of the Indian Penal Code and 67 of The Information Technology Act, 2000.

4. The allegation against the petitioner, though not named in the FIR, is of being party to fraudulent transaction of heavily amounts in the account of co-accused Prince Kumar.



5. Learned counsel for the petitioner submitted that the petitioner has no role in the entire episode. It was submitted that the account was that of co-accused Prince Kumar and he has taken the name of the petitioner that he was also involved in such fraudulent transfer, though without any proof. It was submitted that Prince Kumar has taken the name of the petitioner as his partner in the said crime. Learned counsel submitted that nothing has been recovered from the petitioner and he is in custody since 27.12.2019 and does not have any other criminal antecedent. It was further submitted that the petitioner had no account in the bank and it was Prince Kumar from whose account transactions were being made.

6. Learned APP submitted that co-accused Prince Kumar, from whose account the fraudulent transfers were made, of more than one crore rupees, in his confession has stated that the petitioner was his partner in such crime.

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, Jamui in Khaira PS Case No. 379 of 2019, G.R. No.



3620 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, not tamper with evidence and would not attempt influencing the witnesses. 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)**

Anjani/-

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