

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26802 of 2020

Arising Out of PS. Case No.-108 Year-2020 Thana- JAKKANPUR District- Patna

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KANHAIYA KUMAR Son of Ram Bilash Shsrma Resident of Village-
Mohabbatpur @ Mahammadpur, P.S.- Shekhopur Sarai, District- Sheikhpura.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar Sinha, Sr. Adv. Mr.Pramod Kumar Sinha, Adv.
For the Opposite Party/s :		Ms. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-10-2020 Heard Mr. Devendra Kumar Sinha, learned senior
counsel for the petitioner and Ms. Sucheta Yadav, Additional
Public Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Jakkanpur PS Case No. 108/2020 registered for the offence
punishable under Section 379, 420, 414, 467, 468, 469, 571,
120 B of the IPC and under Sections 66(B), 66 (C) & 66 (D) of
the I.T. Act.

3. The allegation against the petitioner, as per First
Information Report, is that the police intercepted a Swift Dezire
car in which four persons were sitting including the petitioner
and recovered mobile phones, ATM Cards, Adhar Card, voter ID
Card, Driving License etc and one of the co-accused, namely,
Gautam Kumar disclosed that they withdraw money from the



ATM after preparing duplicate ATM cards by way of stealing details and PIN numbers collected from the Cards of the different customers.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and his name has transpired in this case on the basis of a confessional statement made by co-accused before the police. Learned counsel further submits that the petitioner has got no criminal antecedents and the co-accused person, namely, Rohit Kumar has been granted bail by this Court in Cr. Misc. No. 25755/2020 and another co-accused, namely, Gautam Kumar has been granted bail by the learned court below itself.

5. Learned counsel also submits that the petitioner is in custody since 09.02.2020.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused persons have been granted bail and petitioner is in custody since 09.02.2020, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, KANHAIYA KUMAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Sub Judge-cum-Additional Chief Judicial Magistrate-VIII, Patna in connection with Jakkanpur PS Case No. 108/2020, subject to the condition that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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