

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83084 of 2019**

Arising Out of PS. Case No.-408 Year-2018 Thana- GAYA RAIL P.S. District- Gaya

SINKU KUMAR @ SINKU SINGH Son of Shailendra Singh @ Shailendra
Sharma Resident of Village - Utrawan, P.S.- Khizarsarai, District - Gaya.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate
For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 16-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Gaya Rail P.S. Case No. 408 of 2018 registered for the offences punishable under Sections 420, 467, 468, 471, 379, 411 and 34 of the Indian Penal code and Section 66(a) of the Information and Technology Act.

Learned counsel for the petitioner submits that so far as this present F.I.R. is concerned, it is not the allegation against the petitioner that he was present with the co-accused Bunti Kumar at the alleged ATM. Learned counsel submits that when Bunti Kumar was arrested, it is claimed that the said Bunti Kumar disclosed names of some more persons who are allegedly involved in the theft of money by committing forgery



with the ATM cards.

It is further submitted that the co-accused Shiv Shankar Singh, who was allegedly present at the place of occurrence had fled away on seeing the police, has been granted privilege of anticipatory bail by a learned Co-ordinate Bench of this Court in Cri. Misc. Case. No. 39675 of 2019.

Learned APP for the State has gone through the case diary. It is submitted that the name of this petitioner has also come as one of the persons involved in the similar offence however it is not denied that the co-accused Shiv Shankar Singh who was allegedly present at the place of occurrence and had fled away, has been granted privilege of anticipatory bail by a learned Co-ordinate Bench of this Court.

In the given facts and circumstances of the case considering that there is no allegation that this petitioner was present with the co-accused Bunti Kumar at the alleged place of occurrence and the person who was allegedly present has been granted anticipatory bail by learned Co-ordinate Bench of this Court, let the petitioner above named in case of his arrest or surrender within a period of six weeks from today in connection with Gaya Rail P.S. Case No. 408 of 2018 be released on bail on furnishing of bail bond of Rs.15,000/- (fifteen thousand) with



two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Railway, Gaya, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. i.e.

(I) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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