

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 2259 of 2021**

Arising Out of PS. Case No.-142 Year-2018 Thana- KASHICHAK District-
Nawada

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PRAMOD KUMAR @ AMIT KUMAR S/o Vijay Manjhi R/o village-
Bahribigha, P.S.- Kashichak (Shahpur O.P.), District- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Vasant Vikas, Advocate
For the Opposite Party/s : Mr Narsingh Tanti, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 03-06-2021 This case has been taken up today for consideration
through Video Conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Kashichak (Shahpur OP)
Police Station (for brevity, PS) Case No 142 of 2018 dated
29.10.2018 instituted for the offence punishable under Sections
419, 420, 467, 468, 471, 120B/34 of Indian Penal Code.

The prosecution case is that the Police Officer received
information regarding involvement of some persons in the
offence of cheating through mobile phones in the name of home
shopping etc. He has been informed that they assembled in the
orchard. The police party proceeded towards the orchard where



10 to 12 persons were sitting. Four of them were caught. They have named the persons who fled away including the petitioner. From the possession of the apprehended persons, some articles have been seized.

It is submitted by the petitioner's counsel that petitioner's name has been given by co-accused and that the petitioner was not arrested from the spot. The submission is that such implication on the basis of statement of co-accused has no evidentiary value. The petitioner is in custody since 07.09.2020. The investigation is now complete and further custody of the petitioner is not required. The petitioner has no criminal antecedent.

Learned APP for the State has 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, Nawada in connection with Kashichak (Shahpur OP) PS Case No 142 of 2018 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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