

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9720 of 2021

Arising Out of PS. Case No.-442 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Abhishek Kumar Son Of Shyam Nandan Singh @ Shyam Nandan Kumar
R/O Village- Gurgawan, P.S.- Saraiya, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gaurav Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 19-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sadar P.S. Case No. 442 of 2020, registered for the offence under Sections 420/467/468/471/120(B)/34 of the Indian Penal Code.

As per the prosecution case, ATM Card scanning machine has been recovered from the possession of the petitioner and on the disclosure made by this petitioner, from the possession of other accused persons, ATM Card cloning machine and laptop have have been recovered.

It is submitted on behalf of petitioner that nothing has been recovered from the possession of the petitioner and the



petitioner has been made accused in this case only on suspicion without any technical verification of the scanning machine, recovered from petitioner. It is further submitted that similarly situated co-accused namely Rajan Ram has already been granted bail by a coordinate Bench of this Court, vide order dated 12.07.2021 passed in Cr.Misc. No. 9479 of 2021. Petitioner has got clean antecedent, as per statement made in paragraph -3 of the bail petition, and he is in custody since 14.08.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties and the materials available on record, the bail petition of petitioner is allowed. Let the above named petitioner 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 Chief Judicial Magistrate, Muzaffarpur in connection with Sadar P.S. Case No. 442 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J.)

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