

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64799 of 2019**

Arising Out of PS. Case No.-48 Year-2019 Thana- GRIYAK District- Nalanda

GAURAV KUMAR @ GAUTAM, Male (aged about 20 years), S/o Shiv Kumar Prasad, R/o village- Husaina, P.S.- Sarmera, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : M/S. Vikramdeo Singh and Rabindra Prasad Singh,
Advocates.
For the Opposite Party : Mr.Abhay Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

8 25-02-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 419, 420, 467, 468, 471 of the I.P.C., 66, 66(C) and 66(D) of the I.T. Act.

The prosecution story, in brief, is that the petitioner works in Philips Card Company and he used to obtain Tracking I.D. and Mobile number of the customers and provide to other co-accused who are members of organized gang who used to loot innocent persons in the name of winning prize of vehicles.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to mistake of fact. The name of the



petitioner has come in the present case merely on the basis of confessional statement of co-accused made before the police. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Biharsharif, Nalanda, in connection with Giriyak (Katarisarai) P.S. Case No. 48 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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