

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18972 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Nakul Kumar son of Shankar Yadav, Resident of Village - Kabirpur, Police
Station - Sheikhopur Sarai, District - Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr.Mukeshwar Dayal, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 02-09-2022 Let the defects, as pointed out by the Office, be

removed within a period of two weeks from today.

Heard learned counsel for the petitioner and learned

APP for the state.

Petitioner seeks regular bail in connection with

Shekhopur Sarai P.S. Case No. 02 of 2022 lodged under

Sections 406, 419, 420, 467, 468, 471 and 120B/34 of the Indian

Penal Code.

As per the prosecution, allegation against the five

named accused is to make fraud with public at large by way of

providing lottery tickets, providing loan and also dealership of

different companies. Upon information received, the search

operation took place at the house of Tiranju Mahto and

indiscriminating materials were recovered from his house. During search at another house of Tiranju Mahto, three persons, namely, Gulshan Kumar, Nakul Kumar (the present petitioner) and Akhilesh Kumar were apprehended and case has been filed against all.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has nothing to do with the business of Tiranju Mahto. He further submits that petitioner is in custody since 03.01.2022, charge sheet has already been filed in this case and petitioner has having clean antecedent. He further submits that the other co-accused Rahul Patel, Akhilesh Kumar and Gulshan were granted bail from the Co-ordinate Bench of this Court vide order dated 19.07.2022 and 27.07.2022 in connection with Cr. Misc. No. 17738 of 2022, Cr. Misc. No. 10804 of 2022 and Cr. Misc. No. 17214 of 2022 respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to

the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Shekhopur Sarai P.S. Case No. 02 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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