

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18545 of 2022

Arising Out of PS. Case No.-152 Year-2021 Thana- Giriyak District- Nalanda

Monu Kumar S/o Surendra Singh Resident of Village- Parwati, P.S.-
Kashichak, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 24034 of 2022

Arising Out of PS. Case No.-152 Year-2021 Thana- Giriyak District- Nalanda

Diwakar Kumar Son Of Vijay Singh R/O Village- Parwati Nagar, P.S.-
Kahichak, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 18545 of 2022)

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv. with
Mr. Manindra Kishore Singh, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

(In CRIMINAL MISCELLANEOUS No. 24034 of 2022)

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with

Giriyak (Katrisarai) P.S. Case No. 152 of 2021 lodged

under Sections 419, 420, 468 of the I.P.C. read with Section 66 of the I.T. Act.

As per the prosecution case, the allegation of cheating and fraudulating grabbing money from the customers in the name of the Bajaj Finance Limited Company are there in the F.I.R.

Learned counsel for the petitioners submits that the petitioners are not named in the F.I.R. and they have been arrested on the confessional statement of the co-accused. He further submits that except the confessional statement, there is nothing against the petitioners to show their involvement in the alleged offence. He further submits that petitioner no. 1 is in custody since 29.10.2021 and petitioner no. 2 is in custody since 28.10.2022, charge sheet have already been filed as well as charge have been framed in this case. He further submits that the petitioners' antecedent are clean.

Learned counsel for the State opposes the prayer for bail and submits that case diary has been called for and antecedent report was also called for by which it has come that the antecedent of the petitioners are clean.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) each with two sureties of the like amount

each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Giriyak (Katrissarai) P.S. Case No. 152 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners 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 their bail bond.

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

C. The petitioners shall file an affidavit at the time of furnishing of bail bond that they 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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