

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18430 of 2022

Arising Out of PS. Case No.-61 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Hare Murari Sharma @ Murari Kumar Son of Nawal Singh @ Nawal Kishor
Singh Resident of Village - Mohabbatpur, Police Station- Shekhopur Sarai,
District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-07-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 406, 420, 467, 468, 471,

120(B)/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with

his brother co-accused Kanahiya Kumar were involved in cyber

crime and they have received huge amount of money from the

crime and from the same money they have purchased land in the

state of Jharkhand and Bihar. The police has recovered several



incriminating materials and seized and seizure list had been prepared.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the name of the petitioner has been transpired on the basis of confessional statement of co-accused Kanhaiya Kumar. He further submits that it appears from the F.I.R. that at the time of lodging of F.I.R. the petitioner was at Ranchi. He further submits that nothing has been recovered from the conscious possession of the petitioner and moreover co-accused person namely Kanhaiya Kumar has been granted bail by the learned Court below itself on 15.04.2021 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 10.09.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with



Shekhopur Sarai P.S. Case No. 61 of 2021, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court 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 witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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