

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25644 of 2022

Arising Out of PS. Case No.-58 Year-2022 Thana- BIHAR District- Nalanda

Rohit Kumar S/o Surendra Prasad Resident of Village- Asthanna, P.S.-
Sheikhopur Sarai, District- Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Bihar P.S. Case No. 58 of 2022 registered for
the alleged offences under Sections 467, 468, 471, 406, 419, 420
and 120(b)/34 of the Indian Penal Code.

As per prosecution case, police received secret
information about two youths staying at a tenanted premises
doing cheating and other nefarious activities for getting money
and a raid was conducted and the petitioner was apprehended
from his room who disclosed that he along with co-accused
Satish Kumar has been using fraudulent sims and mobile phones



for extortion of money from gullible people. From the room of the petitioner twenty one fraudulent sim cards, some fraudulent ATM cards, a live cartridge of pistol and one used cartridge of 0.315 bore were recovered.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the allegations are baseless and concocted. The petitioner has no concern with the allegedly seized articles. He is a student of BA Part-III and has been residing in the room in question as partner of co-accused Satish Kumar and the said co-accused has been granted Anticipatory bail by a Co-ordinate Bench vide order dated 09.11.2022 passed in Cr. Misc. No. 18713 of 2022. The petitioner is in custody since 25.01.2022 and charge-sheet has been submitted and investigation is complete. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail submitting that from the room of the petitioner a large number of sim cards, ATM cards and other incriminating article have been recovered.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the period of custody of this petitioner and his clean antecedent along with the submission of charge-sheet, the



petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Bihar P.S. Case No. 58 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

Rajnish/-

U		T	
---	--	---	--

(Arun Kumar Jha, J)

