

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30074 of 2022

Arising Out of PS. Case No.-140 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Ritik Ram @ Ritik Kumar Son Of Shyam Ram @ Shyam Sundar Ram
Resident Of Village- Mohabbatpur, P.S- Sheikhpura, Dist- Shiekhpora
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-07-2022 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, within a

period of four weeks from today.

Heard Mr. Bipin Kumar, learned counsel for the
petitioner and learned APP for the State through video
conferenceing.

The petitioner seeks regular bail, who is in custody in
connection with Sheikhopur Sarai P.S. Case No. 140 of 2021
registered for the offences punishable under Sections 419, 420,
467, 468, 471, 120(B)/34 of the Indian Penal Code.

The prosecution case is based upon a written report of
the informant alleging therein that he received a secret
information that co-accused Santu Ram used to cheat money in
the name of facilitating loan from Bajaj Finance. On



interrogation, he disclosed the name of his associates including this petitioner, who allegedly by alluring the customers, through advertisement, used to cheat them.

Learned counsel appearing on behalf of the petitioner submits that from the F.I.R. it is evident that the police has not disclosed the name of the persons from whom he received information or complaint against the accused Santu Ram, or who were the persons, who have been cheated at the hands of the petitioner. It is next submitted that the recovered ATM card, passbook and two mobiles belong to the co-accused and was used for his personal and daily work. It is further submitted that the name of the petitioner has come on the disclosure of Santu Ram, but no incriminating article has been recovered from the person or possession of this petitioner, which suggests only complicity of this petitioner in the present crime. Further the petitioner is in custody since 28.02.2022 having fair antecedent and the investigation of the crime is already completed.

On the other hand learned APP for the State vehemently opposes the bail application and submits that it is a case of cyber crime and the petitioner has been involved in cheating the innocent persons.

Having considered the submissions made on behalf of



the parties and taking into consideration the fact that the name of the petitioner has come on the disclosure of co-accused, however, no incriminating article has been recovered from the person or possession of this petitioner and, moreover, there is no complaint whatsoever made by any of the person, who is said to have been cheated at the hands of this petitioner and he is in custody since 28.02.2022 having clean antecedent, apart from the fact that investigation of the crime is already completed, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty 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. 140 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates



without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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