

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40996 of 2021

Arising Out of PS. Case No.-60 Year-2021 Thana- PATRAKARNAGAR District- Patna

RAKESH KUMAR @ SATYA S/O RAM PRAVESH PRASAD R/O
VILLAGE-JHOUR, P.S-BEN, DISTRICT-NALANDA, WRONGLY
MENTIONED IN THE F.I.R. CORRECT ADDRESS OF THE PETITIONER
IS R/O VILLAGE-JHOUR, P.S-WARISALIGANJ, DISTRICT-NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Adv.

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 03-01-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Patrakarnagar P.S. Case No. 60/2021, registered for the offence punishable under Sections 420, 467, 468, 471 and 120(B)/34 of the Indian Penal Code and Section 66(c) of the I.T.Act.

The allegation is regarding the accused persons including the petitioner herein having been intercepted and apprehended by the police whereafter search was made & as far as the petitioner is concerned, a sum of Rs. 1,20,000/- and one debit card was recovered from his



possession.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 25.1.2021. The learned counsel for the petitioner has referred to paragraph no. 8 of the present petition to submit that first of all, the ATM debit card recovered from the petitioner belongs to the maternal cousin brother of the petitioner, who had given the same to the petitioner while he was coming to Patna for making payment in connection with the settlement of the marriage of his sister. It is further submitted that the complicity of the petitioner in any sort of crime has neither been alleged nor brought to the fore.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



petitioner and taking into account the materials available on record as also considering the fact that no fraud has been alleged qua the petitioner herein and moreover, it has been stated by the petitioner in paragraph no. 8 of the present petition that the money was to be used in the marriage of his sister, apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since a long time, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VIII, Patna in connection with Patrakarnagar P.S. Case No. 60/2021.

(Mohit Kumar Shah, J)

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