

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43670 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- MANPUR District- Nalanda

1. SONU RAJ, Son of Tulsi Chouhan, Resident of Village - Damer Bigha, P.S. Manpur, District - Nalanda.
2. Subhash Kumar, Son of Manoj Chouhan, Resident of Village - Mehadipur, P.S. - Pakribarawan, District - Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Vinod Pandey, Advocate
		Mr. Rudal Singh, Advocate
For the Opposite Party	:	Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-02-2022 Heard learned counsel for the petitioners and Mr. Mukeshwar Dayal, learned A.P.P. for the State.

Petitioners, in the present case, are seeking regular bail in connection with Manpur P.S. Case No. 63 of 2021 corresponding to G.R. No. 2512/2021 registered for the offences punishable under Sections 419, 420, 467 and 468 of the Indian Penal Code. They are in custody since 08.05.2021 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on 07.05.2021 he got secret information that one Sanjay Kumar is cheating the people by alluring on mobile, thereafter he proceeded with police force and raided the house of Sanjay Kumar and seized mobile phones and other items and arrested him on the allegation of cheating the people. The informant further alleged



that on confidential information a raid was conducted in the house of the petitioners and they were arrested. On search of the room of these petitioners, four mobiles and 18 pages of order-sheets bearing the names of customers were recovered.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that petitioners, who have no criminal antecedent, have remained in custody in connection with this case since 08.05.2021 and the co-accused Sanjay Kumar has been granted bail by a learned coordinate Bench of this court vide order dated 01.11.2021 passed in Cr. Misc. No. 43715/2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioners.

Having regard to the submission that the petitioners, who have no criminal antecedent, have remained in custody in connection with this case since 08.05.2021 and the co-accused Sanjay Kumar, from whose possession three mobile phones, one I-Pad and eighteen pages of order-sheets bearing names and addresses of customers were seized, has been granted bail by a learned coordinate Bench of this court vide order dated 01.11.2021 passed in Cr. Misc. No. 43715/2021 and the uncontroverted submission of the petitioners that their case stand on similar footing with the said Sanjay Kumar, this Court directs release of



the petitioners above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Vth, Biharsharif, Nalanda, in connection with Manpur P.S. Case No. 63 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

