

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37329 of 2022

Arising Out of PS. Case No.-80 Year-2019 Thana- MEDNI CHAUKI District- Lakhisarai

Sanjiv Kumar Son Of Deonandan Mahto Resident of village- Khawa Chandra
Tola, Police Station- Mednichouki, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mednichouki P.S. Case No. 80 of 2019 lodged under Section
420 of the I.P.C. read with Section 66(D) of I.T. Act, 2000.

As per the prosecution case, 69 illegal transaction was
alleged to be made from the PNB bank account of the informant
who got information of such transaction only on 18.03.2019
when he himself went to ATM to receive money.

Learned counsel for the petitioner submits that the
said transaction was made in between 08.08.2019 to 22.08.2029
by which total transaction of Rs.1,87,000/- has been made.
Learned counsel for the petitioner submits that the name of the

petitioner has figured in this case by virtue of confessional statement of one Sintu Kumar to whom the bail has been granted by the court below on 05.03.2022 vide B.P. No. 342 of 2022. Learned counsel for the petitioner further submits that the said transaction was alleged to be made in between 08.08.2019 to 22.08.2019 and he was in custody in another case since 20.08.2019 to 13.11.2019.

Learned counsel for the petitioner further submits that ATM was still with the informant, it transpires from the F.I.R. itself. He also submits that the co-accused on whose confessional statement, the name of the present petitioner has come in this case, has already been granted bail by the Trial Court.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant appeared in this case and vehemently opposes the prayer for bail. He submits that the petitioner is the kingpin in the entire crime because he is well aware about the transaction methodology of the transfer of money from bank.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to

the satisfaction of learned A.C.J.M-1, Lakhisarai in connection with Mednichouki P.S. Case No. 80 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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