

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41351 of 2022

Arising Out of PS. Case No.-207 Year-2022 Thana- GRIYAK District- Nalanda

1. DHARMENDRA YADAV @ DABO @ DHOBO @ DHOKA S/o Late Dangal Yadav R/o village- Barith, P.S.- Katri Sarai, District- Nalanda
2. Jogendra Yadav S/o Late Dangal Yadav R/o village- Barith, P.S.- Katri Sarai, District- Nalanda
3. Sonu Kumar S/o Isho Yadav @ Iso Yadav R/o village- Barith, P.S.- Katri Sarai, District- Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uday Chand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-11-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Petitioners seek regular bail in connection with Giriyak (Katrisarai) P.S Case No. 207 of 2022 registered for the offences punishable under Sections 420, 467, 468, 471 of the Indian Penal Code and section 66 (C), 66(D) of I.T. Act.

As per the prosecution, the police party acting upon a secret informant went to raid the alleged place and apprehended four persons who were trying to flee on seeing them and on search upon this petitioner and other accused persons some mobile phones and some order sheets were recovered wherein name, address and mobile number of customers were mentioned



and on inspecting the mobile phones some account numbers of different banks with account holder's names of different states were found. It is further alleged that the petitioners and the other accused persons were involved in crime of cheating innocent persons and also petitioners disclosed the names of other fourteen persons involved in the alleged crime.

The main submissions advanced by learned counsel Shri Pankaj Kumar appearing for the petitioners are that the petitioners are alleged to have involved in cheating the innocent persons in the name of providing loan but during the course of investigation no one connected with the said allegation came before the investigating officer and accordingly there is no one who can be said to have been cheated by these petitioners and the allegations made in the FIR are completely based on imaginations and surmises. Further submission is that the petitioners have got no criminal antecedent and they have been languishing in jail since 27.04.2022 and against them investigation has been completed.

Uday Chand Prasad, learned APP appearing for the State has opposed the prayer for bail.

In view of the above submissions and considering the custody period of the petitioners and their clean antecedent



and also their defence that no one has come before the investigating officer to show himself having been cheated by any of these petitioners and the said defence has not been refuted by learned APP during the course of argument, in the opinion of this court the petitioners deserve to a lenient approach of this Court, let the petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Learned A.C.J.M 1st Nalanda at Biharsharif in connection with Giriyak (Katrisaria) P.S. Case No. 207 of 2022.

(Shailendra Singh, J)

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