

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41909 of 2022

Arising Out of PS. Case No.-44 Year-2022 Thana- BUXAR RAIL P.S. District- Bhojpur

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UMESH KUMAR SINGH S/o Fagulal Singh Resident of Chandra Vanshi
Nagar, East Bhikhachak, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y. C. Verma, Senior Advocate

Mrs. Priyanka Singh, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State,

through Virtual Court Proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Railway
Buxar P.S. Case No. 44 of 2022 registered for the offence under
Sections 406, 418, 419, 420 and 120B of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.03.2022.

The allegation against the petitioner is to cheat
informant by way of impersonation and while cheating, taken
away cash of Rs. 55,00,000/- (Rupees Fifty Five Lac Only),



belongs to informant, while he was on way to Patna for his business trip.

Learned senior counsel appearing on behalf of the petitioner submitted that petitioner is not named in the FIR, whereas, name of petitioner surfaced during course of investigation, on the basis of confessional statement of co-accused, namely, Jitendra Kumar. It is further submitted that petitioner was not put on TIP, as yet. Learned senior counsel for the petitioner further submitted that save and except, confessional statement of co-accused, no incriminating material surfaced/recovered during course of investigation, which may connect this petitioner, *prima-facie*, with the present set of occurrence. It is also submitted that the petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except confession, no incriminating material surfaced/recovered to connect this petitioner, *prima-facie*, with the present set of occurrence coupled with the fact that charge-



sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Railway Buxar P.S. Case No. 44 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Ara / concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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