

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48982 of 2022

Arising Out of PS. Case No.-201 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

1. VISHAL KUMAR, (Male), aged about 25 years, Son of Late Yogendra Singh, Resident of Village - Baradhi, P.s.- Chand, Distt.- Kaimur.
2. ABHISHEK KUMAR, (Male), aged about 24 years, Son of Late Kamlesh Singh, Resident of Village - Baradhi, P.s.- Chand, Distt.- Kaimur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Shankar Kumar, Advocate
For the Opposite Party : Mr. Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with
Durgawati P.S. Case No. 201/2022 registered for the offence
under Sections 420, 467, 468, 170 and 171 of the I.P.C.

The prosecution case, in brief, is that on 08.07.2022 at
about 10.00 A.M., the informant and others received a secret
information that near Durgawati Railway Station, a police jeep
without number was parked and the driver and other persons
representing themselves to be the employee of a Finance
Company were collecting extortion. On receiving such
information, the informant went there and saw a white colour



Hundai Eon car bearing Registration No. UP-65CN-1078 having logo of police on front glass, and driver of the said vehicle after seeing the police party tried to flee away but the accused persons were apprehended and arrested by the police. After being arrested they disclosed their name as Vishal Kumr (petitioner no. 1) and Abhishek Kumar (petitioner no. 2), who were sitting beside the driver seat. Thereafter a search was made and nothing was recovered from their possession and on search of the said vehicle, a seal, Supreme Deluxe Seal Pad, four receipts of Mahindra & Mahindra Financial Services Ltd., were recovered. Out of them, on two receipt, beared seal and signature of S.H.O. Mohania, Kaimur. On query, no satisfactory reply was given on behalf of apprehended persons.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 09.07.2022. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have been made accused in the present case due to mistake of fact. They happen to be the Recovery Agents of Dhiraj Singh Agency, which is working for Mahindra & Mahindra Finance Company. The entire case is based upon a suspicion. No such document or article was recovered which



could be said to be a forged document.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Durgawati P.S. Case No. 201/2022.

(Sudhir Singh, J)

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