

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60075 of 2021

Arising Out of PS. Case No.-133 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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1. KANHAYIA KUMAR Son of Shreekant Singh R/o Village - Mohabbatpur, P.S.- Shekhopur Sarai, Dist.- Sheikhpura.
 2. Bikash Kumar Son of Bipin Singh R/o Village - Mohabbatpur, P.S.- Shekhopur Sarai, Dist.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners seek regular bail in connection with Shekhopur Sarai P.S. Case No. 133 of 2021 for the offence registered under Sections 419, 420, 467, 468, 471, 120(B)/34 of the Indian Penal Code.

The informant who is Officer In-Charge of Shekhopur Sarai Police Station, is stated to have received secret information that the petitioners were engaging in cheating by holding lucky draw through the means of internet. It is further alleged that upon raid having been conducted in the house of the petitioners, cash amount and two vehicles were recovered.



The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and they are languishing in custody since 24.08.2021. It is further submitted that as far as the petitioner no. 2 is concerned, he is having a clean antecedent while the petitioner no. 1 is an accused in one other case but he is on bail in the said case. It is also submitted that till date no evidence has come on record to suggest that any person has been cheated by the petitioners apart from the fact that the investigation is complete and charge sheet has already been filed.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that investigation is complete and charge sheet has been filed, as has been submitted by the learned counsel for the petitioners and moreover, no individual victim has come forward to file any complaint against the petitioners, apart from the fact that the petitioners are languishing in custody since about seven months, I deem it fit and proper to direct for release of the petitioners



herein on regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., I/C, Sheikhpura in connection with Shekhopur Sarai P.S. Case No. 133 of 2021.

(Mohit Kumar Shah, J)

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