

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51822 of 2022

Arising Out of PS. Case No.-374 Year-2022 Thana- GRIYAK District- Nalanda

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NITISH CHAUDHARY SON OF BHOLA CHAUDHARY RESIDENT OF
VILLAGE- BARITH, P.S.- KATRISARAI, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranvijay Singh

For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-10-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Giriya
(Katrisarai) P.S. Case No. 374 of 2022 registered for the offences
punishable under Sections 419, 420, 467, 468, 471, of the Indian
Penal Code and under Section 66(c), 66(D) of the I.T. Act.

As per prosecution case, informant received secret
information that accused persons namely Nitish Chaudhary(present
petitioner) and Ranjeet Chaudhary, are involved in work of cheating
by hacking data, name, address and order-sheet of innocent persons
at his home on the greed of providing loan, job and prizes to them.
The informant alongwith armed forces reached near the place of
occurrence and saw that two persons started fleeing on seeing the



police, one of them was caught by the police who disclosed his name as Nitish Chaudhary (petitioner) and on search, 125 order sheets inscribed names and addresses and mobile number of different persons, and two registers of mobile numbers of different persons and two mobile phones bearing mobile no. 9973331441 and 7667510651 were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that petitioner is in custody since 18.07.2022 and bears no criminal antecedent. He further submits that petitioner was studying in his house, the police called and brought him at police station and implicated him in the instant case on the basis of suspicion. He further submits that recovered mobile belongs to the petitioner. He also submits that petitioner is a student of Board of Technical Education(polytechnic). His second semester exam registration is going on but the petitioner is behind the jail.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Nalanda at Biharsharif in connection with
Giriyak (Katrisarai) P.S. Case No. 374 of 2022, subject to following
conditions:-

(i) One of the bailors shall be either father or mother or
sister or brother or wife or the person who has sworn the affidavit in
bail application.

(ii) Petitioner will co-operate in trial and will remain
present on all dates and absence for two consecutive dates without
appropriate permission, would be a ground for cancellation of bail by
the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the
witnesses, in that case, the prosecution will be at liberty to move for
cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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