

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63382 of 2021

Arising Out of PS. Case No.-353 Year-2021 Thana- GRIYAK District- Nalanda

Chunnu Kumar S/O Jaichand Prasad R/o village- Dashrathpur, P.S.- Giriyak,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh, Adv.

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 01-08-2022 Heard learned counsel for the parties.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with Giriyak P.S. Case No.353/2021 instituted under Sections 341, 342, 363, 365, 323, 420, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioner and the other accused persons are that they use to make fraudulent withdrawal from the bank by procurial ATM Cards of the common man.

In this case case diary as also criminal antecedent report was called for on 22.04.2022.

Learned counsel for the petitioner submits that for the said alleged act, he has suffered by being in jail since 11.08.2021 and the charge-sheet stands submitted as also the



fact that some of the co-accuseds have since been released on bail vide Cr. Misc. No.61442/2021 (*Dheeraj Kumar Vs. The State of Bihar*) on 13.05.2022 as also Cr. Misc. No.70038/2021 (*Ujjawal Kumar vs. The State of Bihar*) disposed of on 21.07.2022.

Taking into account the aforesaid fact that some of the co-accuseds have been released on bail as also that he is in custody since 11.08.2021 (as stated in para-12 of the bail application) and charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Giriyak P.S. Case No.353/2021 to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bihar Sharif, Nalanda, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his



bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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