

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66655 of 2022

Arising Out of PS. Case No.-559 Year-2022 Thana- NATHNAGAR District- Bhagalpur

1. Pinku Kumar @ Pinku Kumar Singh Son of Late Uma Shankar Singh R/O Village- Repura, P.S.- Sitamarhi, District- Nawada
2. Mithun Kumar Son of Upendra Singh R/O Village- Repura, P.S.- Sitamarhi, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-12-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

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

The petitioners seek bail in connection with
Nathnagar P.S. Case No. 559 of 2022 registered for the offence
under Sections 420, 379, 427, 411 and 34 of the Indian Penal
Code.

The accused/petitioners are not named in the F.I.R.
and are in custody since 30.07.2022.

The allegation against the petitioners is to cheat
informant and others by fixing fevikwik in ATM machines and



to procure the ATM of others, for unlawful gains.

Learned counsel appearing on behalf of the petitioners submitted that the petitioners were falsely implicated in this case without having any reasons. It is further submitted that false implications get its strength as, despite petitioners apprehended on spot but was not named in F.I.R. It is also submitted that seizure list prepared at 8:30 P.M. showing the name of petitioners but were not named in formal F.I.R., which was lodged at 10:30 P.M. It is also submitted that on the basis of seized material, petitioners cannot be connected with present occurrence. It is also submitted that petitioners were arrested by private persons. While concluding the argument, it has been submitted that petitioners are men of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as petitioners were apprehended by private persons coupled with the fact that charge-sheet has been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Nathnagar P.S. Case No. 559 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 Chief Judicial Magistrate, Bhagalpur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

Archana/-

(Chandra Shekhar Jha, J)

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