

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2905 of 2023

Arising Out of PS. Case No.-53 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Guddu Yadav S/O Karu Yadav Resident of village- Mohabbatpur, P.S.-
Sheikhopur, Sarai, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar Sinha, Sr. Advocate
Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2023 Heard Mr. Devendra Kumar Sinha, learned Senior

counsel appearing on behalf of the petitioner and learned APP

for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 406, 419, 420, 467, 468,
471, 120(B)/34 of the Indian Penal Code.

Allegation against the petitioner is that he is active
member of Cyber Crime Gang to commit fraud.

Learned Senior counsel for the petitioner submits that
the petitioner is innocent and he has been falsely implicated in
the present case on the basis of the disclosure made by co-
accused Chandan Kumar. He further submits that nothing has
been recovered from the conscious possession of the petitioner



or the house of the petitioner rather recovery has been made from co-accused Chandan Kumar and one Ajit Kumar and it appears from the F.I.R. that there is no specific allegation against the petitioner. He further submits that similarly situated co-accused person namely Dheeraj Paswan has been granted bail by a Coordinate Bench of this Court vide order dated 22.02.2023 passed in Cr. Misc. No. 55743 of 2022 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.10.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sheikhopur Sarai P.S. Case No. 53 of 2022, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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