

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6021 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- SHRIKRISHNAPURI District- Patna

KUNAL KUMAR S/o Sanjay Yadav @ Sanjay Kumar Yadav R/o Village-
Ghorasahan, P.S.- Ghorasahan, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-05-2023 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Sri Krishna Puri PS case no. 148 of 2022,
registered for the offences punishable under Sections 406,
420/34 of the Indian Penal Code.

The allegation is regarding the informant having
received a telephonic call from co-accused Khushi Kumari
informing about vacancies of Data Entry Operator in the
Company in question, whereafter the informant had gone to the
said Company, where he had met the accused persons including
the petitioner herein and was taken for an interview, where he
met one co-accused person namely Prem, who had told him to
purchase one External SSD of 1 TB capacity, whereafter the



informant had purchased the same and had then again come to the office of the Company in question, where he had again met the said Prem who had taken the aforesaid hard disc drive and had given him appointment letter and had told him to come on the next day, however, when he reached the office on the next day, no body was present there. It is alleged that 250 hard disc drives has been swindled by the said Prem amounting to a sum of Rs. 25 lacs.

The learned counsel for the petitioner submits that petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that a bare perusal of the FIR would show that neither the petitioner has been alleged to have taken the hard disc drive in question from the informant nor he has issued any appointment letter to the informant and if at all, anybody is responsible, it is the co-accused person namely Prem.

Per contra, the learned APP 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 parties and taking into account the materials available on



record as also considering the fact that neither the petitioner is alleged to have taken any hard disc drive from the informant nor he has issued any appointment letter to the informant, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Patna in connection with Sri Krishnapuri PS case no. 148 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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