

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10209 of 2023**

Arising Out of PS. Case No.-158 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

GAUTAM KUMAR @ GAUTAM MISTRI @ GHATO SON OF DEVAN
MISTRI R/O VILLAGE- MOHABBATPUR, P.S.- SHEIKHOPUR SARAI,
DISTRICT- SHEIKHPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anjani Kumar Jha, Adv.

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

=====

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Sheikhopur Sarai P.S. Case No. 158 of 2022,
registered for the offences punishable under Sections 406, 419,
420, 467, 468, 471, 120(B) and 34 of the Indian Penal Code.

As per allegation, the SHO of Shekhopur Sarai
police station received a secret information that 20-25 accused
persons were assembled and they were involved in cheating of
innocent people. The place of occurrence was raided. Seven
persons were arrested, whereas 15-20 became successful in
fleeing away. The ATM cards, several mobile sets, Adhar Cards,



PAN cards etc. were recovered from the arrested persons.

The learned counsel has submitted that the petitioner is innocent and has falsely been implicated. He was not arrested at the spot and nothing was recovered from his possession. He has further submitted that the arrested accused person Santu Ram, Babu Lal and Guddu yadav have been granted bail by the coordinate Bench of this Court. Co-accused Vikki Kumar @ Vickey Kumar @ Vikki Ram has also been granted bail in all the four cases which are pending against him. The petitioner is under custody since 19.12.2022.

On the other hand, Shri Shailendra Kumar, the learned APP has opposed the prayer for bail and submitted that the petitioner was also amongst the accused persons who was involved in cheating the innocent persons.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned CJM, Shaikhpura in connection with Sheikhopur Sarai P.S. Case No. 158 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial till framing of charge. In case of failure on two consecutive dates



without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

U		T	
---	--	---	--

