

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20460 of 2023**

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

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KUNDAN KUMAR S/O CHADRA PRAKASH MAHTO @ MUNNA
MAHTO @ MANNA MAHTO R/v- Mohbbatpur, P.S. - Shekhopur Sarai,
District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 406, 419, 420, 467, 468,
471 and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent.

The informant alleges that the accused persons including
the petitioner are involved in cyber crime and also cheating people,
further on raid seven co-accused persons were apprehended and
various mobile phones, ATM cards of different banks have been
recovered which are alleged to have been used in the crime.

Learned counsel for the petitioner submits that the
petitioner was not arrested on the spot rather his name transpired in
the confessional statement of apprehended accused in police custody



which does not have any evidentiary value in the eye of law, it is clarified that petitioner is named in the FIR but then his name transpired based on the disclosure made by the apprehended accused. It is further submitted that similarly situated other co-accused have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 01.05.2023 in Cr. Misc. No. 69179 of 2020 along with analogous cases.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sheikhopur Sarai P.S. Case No. 158 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailors of the petitioner shall be his father Chadra Prakash Mahto @ Munna Mahto @ Manna Mahto.

(Satyavrat Verma, J)

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