

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16964 of 2022

Arising Out of PS. Case No.-596 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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KUNDAN KUMAR Son of Jagdish Thakur Resident of Near FCI Gate
Sherpur, P.S.- Sadar, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Hari Kishore Thakur, Advocate
For the Opposite Party/s :	Mr. Mohammed Arif, APP
	Mr. Jitendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 11-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 420, 467, 468, 471, 379 and 120B of the Indian Penal Code.

As per the prosecution case, as a result of online fraud a total sum of Rs. 1,07,50,000/- was misappropriated from the account of the informant.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. He was falsely implicated in course of investigation on the confessional statement of co-accused Rajesh Kumar. No incriminating article has been recovered from his possession. The petitioner is in custody since 16.11.2021 and investigation in the case has concluded.



Learned A.P.P for the State opposes the prayer for bail submitting that as per the material in the case diary the main allegation is against the other four co-accused namely Nitesh Kumar, Rajesh Kumar, Zafar Ekbal and Manjay Kumar Singh. The petitioner is also said to be associated with the accused persons. It is further submitted by learned A.P.P that in compliance of the order of this Court a counter affidavit has been filed on behalf of the opposite party.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the material that has transpired in course of investigation together with the petitioner having remained in custody for more than 1 year since 16.11.2021 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Town P.S. Case no. 596 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur.

(Partha Sarthy, J)

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