

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20642 of 2023**

Arising Out of PS. Case No.-136 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

SAJAN KUMAR Son of Mithu Ram @ Mithlesh Ram R/V- Panchi, P.S-
Shekhopur Sarai, Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 22-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
15.01.2023 in connection with Shekhopur Sarai P.S. Case No.
136 of 2022, F.I.R. dated 17.08.2022 registered for the offence
punishable under Sections 419, 420, 467, 468, 471, 406 and
120(B)/34 of the Indian Penal Code.

As per the prosecution case, all the accused persons
are said to have committed cyber crime and transferred the
amounts in their accounts.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been
implicated in the present case on the basis of the disclosure



made by co-accused person. Further submits that it appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession or the house of the petitioner and the petitioner was not apprehended with other co-accused persons and except the disclosure made by co-accused persons, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and co-accused persons, namely, Kaliya Mahto @ Raju Prasad and Sandeep Kumar have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 04.05.2023 and 09.05.2023 passed in Cr. Misc. Nos.9909 of 2023 and Cr. Misc. No.4963 of 2023 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 15.01.2023.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Shekhopur Sarai P.S. Case No.



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

(2) If the petitioner tampers with the evidence or the witnesses, 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 antecedent, 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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