

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22223 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- GRIYAK District- Nalanda

Gulshan Kumar, S/O Santosh Prasad, R/O Village- Goraiya Bigha, P.S-
Katrisarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Shrivastava, Sr. Advocate
Mr. Girish Pandey, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-05-2023 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Giriyak P.S. Case No. 81 of 2023 registered for the alleged offences under Sections 419, 420, 467, 468, 471 of the Indian Penal Code and Section 66 (C) (D) of the I.T. Act.

3. As per prosecution case, the police received secret information about a person indulging in cheating through his mobile phone. A raid was conducted and the petitioner was apprehended. From the possession of the petitioner, two mobile phones and some documents of finance companies were recovered. The petitioner disclosed that he cheats people after giving them allurements of loan and receives payment from them



on account of passing the loan and processing fees, TDS etc.

4. The learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR itself, it is clear that no one has come forward to make any complaint against the petitioner that he was cheated by him. The articles seized from the petitioner do not belong to him and the petitioner has not claimed the articles for its release. The learned senior counsel further submits that merely on suspicion that the petitioner was involved in cheating, he was arrested. The petitioner is in custody since 12.02.2023 and is having clean antecedent.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioner without any substantive material and further considering the clean antecedent of the petitioner and his period of custody, the petitioner above-named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in



connection with Giriyak P.S. Case No. 81 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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