

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31503 of 2023**

Arising Out of PS. Case No.-63 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

VIKASH ROUSHAN @ ROUSHAN KUMAR @ BIKASH RAUSHAN @
RAUSHAN KUMAR @ DIJE SON OF PALO MAHTO @ TIRANJU
PRASAD @ ABHIMANYU PRASAD SINGH @ ABHIMANYU PRASAD
SINHA RESIDENT OF VILLAGE- PANCHI, PS- SHEKHOPUR SARAI,
DISTT- SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with
Shekhopur Sarai P.S. Case No. 63 of 2021 registered for the
offences under sections 406, 420, 467, 468, 471, 120(B) and 34
of the Indian Penal Code lodged on 04.04.2021 by the
informant, Krishna Nandan Prasad.

The prosecution case, in brief, as per first information
report inter alia is that on 4.4.2021 at about 7.30 hours
informant was on patrolling duty along with other constable,
received secret information that in village Panchi, accused
Sumant Kumar @ Galu is engaged in cyber crime through



mobile at his house. After giving information to superior Police Officer, reached Panchi. On the sight of the police, some accuseds escaped while others were arrested. He gave his name as Mantu Kumar, and disclosed that he came to meet Sumant Kumar. A search was made whereafter the informant seized mobile sets and SIM card from the pocket as also a bag containing Laptop, Mobile sets, Bank Pass book Aadhar card and Debit card of S.B.I. It has further been alleged that Mantu Kumar contested the names of escaped persons as Sumant Kumar, Golu, Shashi Mahto, Roushan, Pankaj Kumar, Tamerej Dije, Roushan Kumar @ Bagha. Accordingly, the FIR.

It has been contended by the learned Counsel for the petitioner that his name has come in the confessional statement of one Mantu Kumar and there has not been any recovery from his conscious possession. The further submission is that similar situate co-accuseds, Sumant Kumar @ Golu and Raushan Kumar @ Bagha have since been granted bail vide Cr. Misc. No. 23030 of 2023 and Cr. Misc. 19416 of 2022 respectively.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the period of custody (21.03.2023) as also the fact that similar placed co-accuseds have been released



on bail, as stated above, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned C.J.M., Sheikhpura in connection with Shekhopur Sarai P.S. Case No. 63 of 2021, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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