

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31372 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- BUNIYAD GANJ District- Gaya

Saurav Kumar, Son of Anil Chaurasiya, Resident of village - Manjhway, P.S. -
Hisua, Distt. - Nawada (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-08-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Buniyadganj P.S. Case No.38 of 2023 registered for the
offences punishable under Sections 406, 420, 467 and 468 of the
Indian Penal Code.

3. The accused/petitioner is not named in the FIR and
is in custody since 05.02.2023.

4. Allegation against the petitioner is to cheat the
informant and while cheating so, fraudulently transferred cash
of Rs.34,800/- from his account with help of named co-accused
person.

5. It is submitted by learned counsel that as per
narration of FIR, the thrust of allegation is available against
named co-accused, Tinku Kumar, where name of this petitioner



surfaced during the course of investigation on the basis of confessional statement of said co-accused Tinku Kumar, where in furtherance of, no incriminating material recovered/surfaced as to connect the petitioner with present occurrence of cheating. It is submitted that the maximum allegation what appears against this petitioner is to work as an associate of named co-accused, Tinku Kumar. While concluding argument, it is submitted that the petitioner found involved in one more criminal case, where he is on bail and moreover investigation of this case is completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances and by taking note of fact as thrust of allegation *qua* cheating is available against named co-accused, namely, Tinku Kumar and not against this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 05.02.2023, accordingly, the petitioner, above-named, is directed to be released on bail 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 A.C.J.M.-
VIII, Gaya in connection with Buniyadganj P.S. Case No.38 of
2023, subject to the conditions as laid down under Section
437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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