

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33082 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- KINJAR District- Jehanabad

Raushan Kumar Son of Anand Kumar Resident of Makhmilpur, P.S.-Kinjer,
District-Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Kinjar
P.S. Case No. 15 of 2023 registered for the offence under
Sections 379, 420 of the Indian Penal Code read with Section
66(c) and 66(D) of the Information Technology Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 06.02.2023.

The allegation against the petitioner is to fraudulently
withdraw Rs. 35,000/- (Rupees Thirty-five Thousand only) from
the bank account of the informant, alongwith other co-accused
persons.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is not named in F.I.R. and he is



implicated in present case out of suspicion as Aadhar card and other related copies of documents stand in the name of informant found in poultry farm which is alleged to be of this petitioner. It is submitted that said poultry farm is an open place and accessible by general public and, as such, it can be said with all convictions that the copies of the documents as alleged to be there may be on instance of other persons also. It is submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Ankit Kumar. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of the fact as the implication of petitioner, *prima facie*, appears on the basis of suspicion as some copies of the personal documents were found in poultry farm, which is an open place coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 06.02.2023, accordingly, the petitioner, above named, is directed



to be released on bail in connection with Kinjar P.S. Case No. 15 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Arwal/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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