

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34550 of 2023

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

Indrajeet Kumar Son Of Late Shiv Ballam Singh Resident Of Village - Baliya
Bagh, P.S. - Karpi, Distt. - Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 31-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. 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.

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

4. 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.

5. 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, Raushan Kumar. It is further submitted that similarly situated co-accused, namely Raushan Kumar, has already granted bail by this Court through Cr. Misc. No. 33082 of 2023 vide order dated 22.06.2023. While concluding the argument, it is submitted that 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.

6. Learned APP opposes the prayer of bail.

7. 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. with further conditions :-

(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed



by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.

(Chandra Shekhar Jha, J)

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