

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34960 of 2022

Arising Out of PS. Case No.-68 Year-2020 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Uday Kumar @ Uday Prasad Son of - Bijendra Prasad @ Bijendra Mahto
Resdient of - Village - Panchi, Police Station- Sheikhopur Sarai, District -
Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Swetabh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-01-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in the virtual court

proceeding.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 188, 406, 420, 467, 468, 471
and 34 of the Indian Penal Code.

According to prosecution case, all the accused persons
including the petitioner were involved in cheating innocent
people through internet by getting their mobile numbers and
used to transfer amounts to the account and gets commission.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case on the basis of the confessional statement made by the co-accused person, namely, Amardeep Kumar. He further submits that the petitioner is not arrested along with the other co-accused persons. He further submits that no incriminating articles have been recovered from the possession of the petitioner. He further submits that except the confessional statement of the co-accused person, no other cogent material has come during investigation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.04.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sheikhopur Sarai P.S. Case No. 68 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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