

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40948 of 2023

Arising Out of PS. Case No.-435 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

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KUNDAN KUMAR SON OF JAGDISH THAKUR RESIDENT OF
VILLAGE NEAR F.C.I. GATE SHERPUR, PS- SADAR, DISTT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-07-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Motihari Town P.S. Case no. 435 of 2021 (Trial no. 421 of 2022) registered under sections 420 and 379 of the Indian Penal Code and section 66D of the I.T. Act.

3. As per the prosecution case, Rs. 9.10 lacs was illegally withdrawn from the account of the informant through NEFT.

4. Learned counsel for the petitioner submits that the petitioner was not named in the FIR. He has been falsely implicated in the case. The earlier prayer for bail of the petitioner was rejected vide order dated 16.1.2023 (Annexure-1)



passed in Cr. Misc. no. 34786 of 2022 giving liberty to the petitioner to renew his prayer for bail after framing of charge. Referring to the order contained in Annexure-3, it is submitted that charge has been framed against the petitioner in the learned trial court. The petitioner is in custody since 23.12.2021 and undertakes to cooperate in the trial.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner, the petitioner being in custody since 23.12.2021, liberty granted to the petitioner by the aforesaid order of rejection dated 16.1.2023 and charge having been framed in the case, the petitioner is directed to be enlarged on bail in connection with Motihari Town P.S. Case no. 435 of 2021 (Trial no. 421 of 2022) 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 J.M. 1st Class, Sadar at Motihari (East Chamapran).

(Partha Sarthy, J)

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