

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37475 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- PATRAKARNAGAR District- Patna

MANTU KUMAR BHARTI Son of Sri Subalal Yadav Resident of village -
Gajipur, P.S. - Karpi, Distt. - Arwal Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-07-2023 Heard the parties.

The petitioner is in custody since 30.1.2023 in connection with Patrakarnagar P.S. Case No. 91 of 2023 for the offence punishable under Sections 419, 420, 467, 471, 474, 120(B) of the I.P.C. and 66© of I.T. Act lodged on 29.1.2023 by the informant Manoranjan Bharati.

The prosecution story, in brief, is that the informant . posted in Pratrakar Nagar Police Station has alleged in F.I.R. that on 28.01.2023 he departed with armed forces for maintain law and order during immersion procession of goddess 'Saraswati' when got information that the cyber criminals are going to be siphoned.

Further, the informant has alleged in the FIR that when they were passing through Kankarbagh main road, saw two persons on motorcycle in suspicious condition. They were



intercepted and as failed to get satisfactory reply and further disclosed that they are members of cyber crime, the FIR.

It has been contended by the learned counsel for the petitioner that the petitioner has falsely been implicated in this case and beside the recovery of motorcycle, mobile and sim cards, nothing incriminating has been recovered and only to exaggerate the case, I.T. Act has been incorporated.

It is further submission that the entire aforesaid articles have been recovered from the co-accused Sintu Kumar with whom he was riding motorcycle and was implicated in this case.

The last submission is that he is in custody since 30.1.2023.

Learned APP opposes the prayer for bail.

Taking into account his period of custody as also that he has no criminal antecedent and the recovery/seizure is from Sintu Kumar, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate,-1st Class, Patna, in connection with Patrakarnagar



P.S. Case No. 91 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

