

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37548 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- MANPUR District- Nalanda

Rohit Kumar Son Of Surendra Raut Resident Of Village-Sarbahdi, Manpur,
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
		Mr. Ranvijay Singh, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2023 Heard Mr. Y.C. Verma learned senior counsel
appearing on behalf of the petitioner and learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
02.03.2023 in connection with Manpur P.S. Case No. 32 of
2023, F.I.R. dated 01.03.2023 for the offences punishable under
Sections 419, 420, 467, 468, 471/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along
with other accused person used to cheat the people by calling on
their mobile phones and offering them greed of prizes and
several articles including mobile phones, ATM cards etc. have
also been recovered from their possession.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that all the recovered articles which are recovered from the possession of the petitioner i.e. bank passbooks, ATM cards, etc., belong to the petitioner and the petitioner has no concern at all with the articles recovered from the co-accused, namely, Mathura Rajak. He further submits that there is no allegation in the F.I.R. that the petitioner has committed any fraud with anyone and there is only bold statement that the petitioner is a member of organized gang of cyber crimes indulged in cheating money from the people. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 02.03.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that number of mobile phones and ATM cards and Rupay cards of other persons have also been recovered from the possession of the petitioner which suggests that the petitioner was involved in the present crime in question but fairly submits



that the petitioner has clean antecedent.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and period of custody, 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 Additional Chief Judicial Magistrate V, Nalanda at Bihar Sharif in connection with Manpur P.S. Case No. 32 of 2023, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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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