

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40778 of 2023

Arising Out of PS. Case No.-364 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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Nitesh Kumar, S/O Awadesh Sahni, R/O Village- Utari Chhapra Bhahas Tola
Mehawa Ps. Sugauli Dist. East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Motihari Town P.S. Case No.
364 of 2023 dated 14.05.2023 registered for the offences
punishable u/ss 420 and 188 read with Section 34 of the Indian
Penal Code and u/s 66(D) of the I.T. Act.

As per the prosecution case, one Bottom mobile was

recovered from the underwear of the petitioner for cheating

during the course of examination of Central Selection Board of



Constable.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. It is further alleged that the petitioner has no concern with the alleged recovery. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.05.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Motihari Town P.S. Case No. 364 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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