

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52002 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- GRIYAK District- Nalanda

SATYENDRA KUMAR SON OF GOPAL MAHTO R/O-SHAHABAD, P.S.-
KATRISARAI, DISTT.-NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Giriyak (Katrisarai) P.S. Case No.229 of 2023 instituted under Sections 419, 420, 467, 468, 471/34 of the IPC and under Sections 66(c) and 66(d) of the I.T. Act lodged on 02.05.2023 by the informant Kamlesh Kumar Singh.

As per the prosecution story, the police upon information that some persons are cheating the people through mobile on the pretext of loan approval, apprehended and arrested them with number of mobiles and approval letters. The two arrested persons were Satyendra Kumar and Manoj Chaudhary. Accordingly, the FIR.

It is the case of the petitioner that for those who are illiterate, they use to facilitate filling their form for some amount but the police has wrongly implicated them, no one has



come forward and/or made any complaint. He has already suffered by being in custody since 03.05.2023, do not have criminal antecedent and similar placed Manoj Chaudhari who was also arrested has since been granted bail by a co-ordinate bench vide Cr. Misc. No.44732 of 2023.

Let the same be kept on record.

Learned APP on the other hand submits that they used to cheat innocent people and thus opposes the prayer for bail.

Considering the submissions put forward by the learned counsel for the petitioner, he do not have criminal antecedent, is in custody since 03.05.2023, Manoj Chaudhari has since been granted bail, stated above, this Court is inclined to grant him privilege of bail. However, if it is found that he do have criminal antecedent, this bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Giriyak (Katrisarai) P.S. Case No.229 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, subject to 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 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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