

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50378 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

-
1. Nilesh Kumar, S/o Anil Singh @ Anil Prasad Singh, R/o village- Kulti, P.S.-
Asthama, District- Nalanda (Bihar)
 2. Pankaj Kumar, S/o Upender Singh, R/o Village- Mohabbatpur, P.S.-
Shekhopur Sarai, District- Sheikhpura (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 52764 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

Navin Kumar @ Sanjay Kumar @ Sanjay Singh @ Teni Son Of Ramakant
Singh R/O Village- Mohabbatpur, P.S.- Shekhopur Sarai, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 50378 of 2022)

For the Petitioner/s : Mr.Ram Priya Sharan Singh, Advocate
Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mrs.Pronoti Singh, APP

(In CRIMINAL MISCELLANEOUS No. 52764 of 2022)

For the Petitioner/s : Mr.Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

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

ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

Let the defect (s), if any, as pointed out by the



office, be removed within a period of three weeks.

The petitioners are apprehending their arrest in connection with Shekhopur Sarai P.S. Case No. 49 of 2022 registered for the offences punishable under Sections 419, 420, 467, 468, 471 and 120(B) read with Section 34 of the Indian Penal Code.

Allegation against the petitioners is that they are members of Cyber crime gang and are involved in alluring people in the name of allotment of dealership.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. Learned counsel has further submitted that the name of the petitioners has sprung up on the basis of confessional statement of the co-accused namely Sudhanshu Kumar @ Sintu Kumar and except the confessional statement of the co-accused, no cogent material has come during investigation against the petitioners. Learned counsel for the petitioners has further submitted that the petitioner no. 1, Nilesh Kumar has got no criminal antecedent whereas petitioner no. 2, Pankaj Kumar has got one criminal antecedent except the present case as stated in para 3 of the bail petition. The petitioner, Navin Kumar has got one



criminal antecedent in which he is on bail as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/ surrender within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Shekhopur Sarai P.S. Case No. 49 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move



for cancellation of bail bond.

(3) And, further condition that the Court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioners. 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.

The applications stand allowed.

(Chandra Prakash Singh, J)

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