

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53529 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- KATORIYA District- Banka

1. Ravi Kumar @ RAVI Son Of Shiv Shankar Yadav Resident Of Village- Kagisar, Ps- Katoria, Distt- Banka
2. Rupesh Kumar Son Of Suresh Yadav Resident Of Village- Bhorsar, Ps- Katoria, Distt- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-08-2023 Heard the parties.

The petitioners are in judicial custody in connection with Katoriya P.S. Case No.178 of 2023 instituted under Sections 406, 419, 420, 422, 120(B) of the IPC and 66(b), 66(c), 66(d) of the I.T. Act lodged on 23.05.2023 by the informant Maheshwar Prasad Rai.

As per the prosecution story, the police went to the house of Navin Yadav and saw men and women present there. The petitioners were also amongst them. From the said place, three laptops, 73 mobile, 161 SIM cards besides mobiles as also separate 38 SIM cards of Airtel, three Debit Cards of SBI, one Debit Card of Axis Bank beside other document were



recovered/seized. This followed by the FIR.

It is the case of the petitioners that they are staffs of Navin Yadav, he is having cement shop across the road where they working there and only on the arrival of police went to the place out of curiosity but were implicated as accuseds. They do not have criminal antecedent.

Learned APP opposes the prayer for bail stating that they may have duped hundreds of people using the SIM cards and mobiles.

Taking into account the fact that main allegation is against Navin Yadav, they claim to be staffs, do not have criminal antecedent, young persons, 19 years and 18 years of age, are in custody since 24.05.2023 (para-15 of the petition), nothing to do with the acts of the said person (Navin Yadav), this Court is inclined to extend them privilege of bail.

Let both the petitioners 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 Katoriya P.S. Case No.178 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show



his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every month for a year to mark attendance;

(iv) the petitioners 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 their bail bonds;

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

(Rajiv Roy, J)

Prakash Narayan

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