

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52853 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

Munna Kumar @ Pawan Kumar Sinha, aged about 30 years, Male, Son
Of Sidheswar Mahto R/O Panchi, P.S.- Shekhopur Sarai, District-
Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Ramchandra Sahni

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-01-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Shekhopur Sarai
P.S. Case No. 141/2021 registered for the offence punishable under
Section 419, 420, 467, 468, 471, 120(B), 34 of the Indian Penal Code
(for brevity 'I.P.C.').

The police party has reached the house of co-accused Ashok
Mahto wanted in Shekhopur Sarai P.S. Case No. 04/2018. It is
alleged that they have come upon disclosure by spy that Ashok
Mahto along with his brother (petitioner) was at the house and they
were carrying on cyber fraud.

Learned counsel for the petitioner submits that even as per
allegation, the police had come to arrest the petitioner's brother.
Petitioner's implication is, therefore, without any basis. There is no
recovery of any mobile or sim or any other material from the



petitioner to show his complicity in any cyber cheating or fraud. The mobile phone and other articles have been recovered from the joint property house of the petitioner, that also allegedly behind his back.

The recovery is denied and disputed. It is submitted that the petitioner was earlier made accused in Sheikhpura P.S. Case No. 53/2013, wherein he has been acquitted, other than that he has no antecedents.

He is in custody since 27.07.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the submissions regarding no recovery from the petitioner, his period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 C.J.M. Sheikhpura, in connection with Shekhopur Sarai P.S. Case No. 141/2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is



called upon to do so by the office.

(Madhuresh Prasad, J)

rajkishore/-

U		T	
---	--	---	--

