

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62989 of 2022

Arising Out of PS. Case No.-273 Year-2014 Thana- SHEKHPURA District- Sheikhpura

Gyanendra Kumar @ Guddu Kumar, S/o Late Nawal Kishor Prasad Singh,
Resident of Mohalla- Teacher colony, Bangalipur, Sheikhpura, P.S.-
Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Sheikhpura P.S. Case No. 273 of 2014 registered for the alleged offences under Sections 467, 468, 471, 419, 420, 379 and 120B/34 of the Indian Penal Code.

As per prosecution case, petitioner and other co-accused persons have been running a network in which they used to dupe innocent people of their money on pretext that they had won some prize in a contest. They used to ask gullible persons to part with some money to get the prize and allegation against the petitioner is that he also received the money in his account along with other co-accused persons.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot from where other co-accused persons were arrested. The name of the petitioner came up in the confessional statement of co-accused Awadhesh Kumar and except for the said statement and allegation of getting money in his account nothing has come up against the petitioner for his participation in the illicit network. Further co-accused Awadhesh Kumar has named another co-accused Soni Kumar as a king-pin and no specific overt act has been attributed to this petitioner. The petitioner is in custody since 07.07.2022 charge sheet has been submitted in this case. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner is part of a gang which used to cheat the innocent persons of their money giving them inducement of some valuable prize purportedly won in some competition being run by the petitioner and other co-accused persons.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 273 of 2014, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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