

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61864 of 2023

Arising Out of PS. Case No.-530 Year-2022 Thana- BARBIGHA District- Sheikhpura

NICKY KUMAR @ NIKKI KUMAR S/O VIRENDRA PRASAD @
BINESHWAR MAHTO R/O VILLAGE- NASRATPUR, PS. BARBIGHA,
DIST. SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
24.07.2023 in connection with Barbigha P.S. Case No. 530 of
2022, F.I.R. dated 04.12.2022 for the offences punishable under
Sections 419, 420 and 120(b) of the Indian Penal Code.

3. According to prosecution case, the informant got
secret information that all the accused persons are doing the
work of cyber fraud in the name of job.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case on the basis of disclosure made by
the co-accused persons namely Tilak Kumar and Kunal Kumar.



He further submits that no incriminating article has been recovered from the possession of the petitioner and except the disclosure made by the co-accused persons no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the co-accused persons namely Tilak Kumar and Kunal Kumar who have confessed the name of the petitioner have been granted bail by a co-ordinate Bench of this Court vide order dated 07.07.2023 passed in Cr. Misc. No. 10081 of 2023 and the petitioner is in judicial custody since 24.07.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Sheikhpura in connection with Barbigha P.S. Case No. 530 of 2022, subject to the following conditions:-

1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

Adnan/-

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