

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64113 of 2022

Arising Out of PS. Case No.-151 Year-2020 Thana- KAKO District- Jehanabad

CHHOTE LAL SINGH @ GAJENDRA KUMAR Son of Vijay Kumar R/v-
Latawar, P.S.- Hisua, District- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha,Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Kako P.S. Case No. 151 of 2020, registered for the offences punishable under Sections 379 and 420 of the Indian Penal Code.

The informant has alleged that when she had gone to the local ATM for checking her balance on 29.07.2020 at about 11:10 a.m., messages had been received on her mobile phone regarding withdrawal of various sums, totalling to Rs.25,000/-, which were in fact not ever withdrawn by the informant. Similar allegation has been levelled by one Yasmin Shaukat & Arshiya Bano. All the aforesaid three



ladies have alleged that when they had gone to the local ATM, unknown miscreants had arrived at the ATM, however, when they had returned back from the ATM and had checked their ATM card, they found that their ATM cards have been changed.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 06.08.2022. It is further submitted that he is an accused in three other cases, but he is on bail in the said cases. It is also submitted that similarly situated co-accused persons have already been granted bail by co-ordinate Benches of this Court vide order dated 07.12.2020 and 16.08.2021, passed in Criminal Miscellaneous No.32442 of 2020 and Criminal Miscellaneous No.7947 of 2021. At this juncture, it is submitted that no recovery has been made from the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for



bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Kako P.S. Case No. 151 of 2020.

(Mohit Kumar Shah, J)

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