

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68144 of 2022

Arising Out of PS. Case No.-248 Year-2022 Thana- KOTWALI District- Patna

Shiv Prakash Son Of Nirbhay Singh @ Nirbhay Kumar Singh R/O - Adarsh
Nagar, New Etwarpur Lalu Path, P.S.- Parsa, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Chaudhary
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Kotwali P.S. Case No. 248 of 2022 registered under sections 406, 418, 419, 420, 467, 468 and 34 of the Indian Penal Code.

Prosecution case in short, is that, on the basis of complaint, police team apprehended two accused persons who were withdrawing money from the atm fraudulently. Further on search, from the possession of co-accused Bobby Kumar, one laptop, Rs. 65,000/-, some atm cards and mobile were recovered and from the possession of this petitioner, there has been



recovery of one mobile and some atm cards.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner and the only recovery is of one mobile which belongs to the petitioner as he purchased the same. He has no concern with the alleged occurrence. During investigation, not a single witness has come forward to say that petitioner has withdrawn any amount from their bank accounts. He has not taken any wrongful gains from the as alleged recovered article. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.05.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Kotwali P.S. Case No. 248 of 2022 on furnishing bail bond of Rs. 10,000/-



(Rupees ten thousand) with two sureties of the like amount each
to the satisfaction of the learned C.J.M., Patna.

(Sunil Kumar Panwar, J)

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