

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71589 of 2022

Arising Out of PS. Case No.-526 Year-2022 Thana- BANKA District- Banka

1. Ramesh Kumar Son of Umesh Chandra R/V- Lohiya, P.S- Fullidumar, Dist-Banka
2. Alka Kumari Wife of Ramesh Kumar R/V- Lohiya, P.S- Fullidumar, Dist-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Swetabh, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-03-2023 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Banka
P.S. Case No. 526 of 2022 registered for the offence under
Sections 419, 420, 467, 468, 471, 120(B)/34 of the Indian Penal
Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

The accused/petitioners are named in the F.I.R., where
petitioner no. 1 is in custody since 18.08.2022 and petitioner no.
2 is in custody since 22.08.2022.

The allegation against the petitioners is to cheat



innocent persons alongwith other co-accused persons in the name of running false company and false employment against monetary consideration.

Learned counsel appearing on behalf of the petitioners submitted that the petitioners were falsely implicated in this case and they are innocent. It is categorically submitted that in fact both petitioners are victims of circumstances, as they have been cheated and employed as “clerk” in the fake company of main accused, Bhola Yadav. It is also submitted that the thrust of allegation is available against main co-accused, Bhola Yadav, who alleged to cheat petitioner no. 1 for sum of Rs. 50,000/- and petitioner no. 2 for sum of Rs. 70,000/-. While concluding the argument, it has been submitted that petitioners are men of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the thrust of allegation is available against main co-accused, Bhola Yadav, where petitioner no. 2 is lady, having clean antecedent, coupled with the fact that charge-sheet has been submitted, let both the petitioners, above named, are



directed to be released on bail in connection with Banka P.S.
Case No. 526 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 learned Chief Judicial Magistrate,
Banka/concerned Court, subject to the conditions as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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