

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1474 of 2023**

Arising Out of PS. Case No.-111 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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GAUTAM KUMAR @ GHATO S/O Birendra Mistri @ Devendra Mistri R/O
Village- Mohabbatpur, P.S- Sheikhopur- Sarai, District- Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shilpi Keshri

For the Opposite Party/s : Mr. Nand Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 23-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 419, 420, 467, 468, 471, 120(B)/34 of the Indian Penal Code.

The allegation against the petitioner is to cheat people, along with co-accused persons by using mobile phones. When raid was conducted by police officials, numbers of ATM cards, PAN card along with cash of Rs.60,000/- were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case only on the basis of suspicion. Nothing incriminating article has been recovered



from conscious possession of the petitioner rather his name has been sprang up in this case on the statement made by apprehended co-accused Ashok Kumar @Bittu Kumar who is already getting the privilege of bail granted by a coordinate Bench of this Court vide order dated 25.3.2022 passed in Cr. Misc. No. 58687 of 2021 and the same is annexed as Annexure-2. It is further submitted that the petitioner is languishing in judicial custody since 15.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sheikhopur Sarai P.S. Case No. 111 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of CJM, Sheikhpura.

(Sunil Kumar Panwar, J)

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