

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4972 of 2024

Arising Out of PS. Case No.-834 Year-2022 Thana- PATRAKARNAGAR District- Patna

Surya Pratap Kumar @ Surya Pratap @ Surya Kumar Son of Manoj Singh @ Manoj Kumar, Resident of Village - Mohabbatpur, P.S. - Shekhopur Sarai, District - Sheikhpura. At Present Village - Kachhuara, P.S. - Gopalpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-03-2024 Heard Mr. Y.C. Verma, the learned senior counsel
for the petitioner and Mr. Shailendra Kumar, the learned
Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
21.12.2022, in connection with Patrakar Nagar P.S. Case No.
834 of 2022, FIR dated 21.12.2022, registered for the offences
punishable under Sections 419, 420, 467, 468, 471, 472, 474,
475 and 120(B) of the Indian Penal Code and under Sections 66
(C) and 66 (D) of the IT Act.

3. Earlier the petitioner has moved before this Court
for grant of regular bail which was rejected vide order dated
27.07.2023 passed in Cr. Misc. No. 35746 of 2023.

4. According to the prosecution case, the informant



while patrolling arrested two persons on the basis of suspicion and upon interrogation they disclosed that they are members of cyber fraud. It is further alleged that from the possession of Surya Pratap Kumar @ Surya Kumar (petitioner) Rs. 10,000/- (rupees ten thousand) cash, sixteen ATM cards of different banks in the name of different persons, Aadhar cards, notebooks, mobile phones, forged rubber stamp of Ward Parshad, one laptop, one gold chain and one bag was recovered.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and as per allegation in the FIR, some ATM cards, number of mobile phones, number of passbooks as well as number of chequebooks were recovered from the possession of the petitioner and the co-accused person. He further submits that the co-accused person namely, Anjish Kumar, who was arrested along with the petitioner, has been granted regular bail by a co-ordinate Bench of this Court vide order dated 07.06.2023 passed in Cr. Misc. No. 33021 of 2023 and the case of petitioner stands on similar footing.

6. Vide order dated 02.02.2024, a report was called for with regard to the stage of trial and the report of learned trial Court dated 11.03.2024 reveals that the case is pending for the



appearance of the other co-accused persons.

7. Learned senior counsel for the petitioner submits that in view of the report of the learned trial Court, there is no chance of early conclusion of the trial in near future and similarly situated co-accused person has been granted regular bail by a co-ordinate Bench of this Court and the petitioner is in custody since 21.12.2022 having clean antecedent.

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

9. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent, his period of custody and also the fact that similarly situated co-accused person has been granted regular bail, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna, in connection with **Patrakar Nagar P.S. Case No. 834 of 2022**, subject to the following conditions:

(i). 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.

(ii). 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.

(iii). 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)

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