

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9996 of 2024

Arising Out of PS. Case No.-556 Year-2023 Thana- RAJIVNAGAR District- Patna

Ajay Prasad, S/o Bindeshwari Prasad, Resident of Village - Sivchak, P.S. -
Phulwarisharif, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate
Mr. Gautam Kumar, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Rajiv Nagar P.S. Case no. 556 of 2023 registered under sections 420 and 379 of the Indian Penal Code.

3. As per the prosecution case, the informant states that he was cheated by the accused persons. One of them on the pretext of giving information to the Bank official took away his ATM card, Rs.9,000/- in cash, mobile phone etc. and did not return. The other accused person who stated to be the brother of the first accused was caught by the informant and handed over to the police.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Admittedly,



from the contents of the FIR it is said that the informant was cheated by the other accused and not the petitioner herein. No incriminating article has been recovered from the petitioner's possession who is in custody since 28.8.2023 and charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, no incriminating article having been recovered from the petitioner's possession, his being in custody for more than 5 months since 28.8.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Rajiv Nagar P.S. Case no.556 of 2023, 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 Additional Chief Judicial Magistrate-II, Patna.

(Partha Sarthy, J)

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