

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11540 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- BELCHHI District- Patna

Amit Kumar, aged about 26 years, Gender-Male, son of Bipul Kumar Singh, Resident of village- Shobha Bigha, P.S. Nalanda, District-Nalanda (Biharsharif)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hansraj, Advocate
For the Opposite Party/s	:	Mr. Dr. Indiwari Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Belchchi P.S. Case No. 101 of 2023 registered for an offence punishable under Sections 419 and 420 of the Indian Penal Code and Section 67(C) of the I.T. Act.

3. As per allegation in the FIR, it is a case of fraud where one person called the informant for interview in Delhi where the said person for verification took the mobile of the informant and fraudulently transferred Rs.2,86,742.50 from various accounts of the informant.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He submits that no such type of occurrence has occurred as alleged in the FIR as such no case is made out against the petitioner. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in



custody since 06.09.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the first information report and impugned order, it appears that there is no recovery from the possession of the petitioner, considering which, the prayer for bail of the petitioner is allowed. Let the above named petitioner be released on bail ***after framing of the chargesheet*** on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Barh, Patna in connection with Belchhi P.S. Case No. 101 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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