

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23872 of 2024

Arising Out of PS. Case No.-736 Year-2023 Thana- LAHERIMUHALLA District- Nalanda

Rakesh Kumar @ Rakesh Malakar S/o Manoj Malakar R/o vill - Ugawan,
P.S. - Asthawan, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Laheri
P.S. Case No. 736 of 2023 instituted for the offence under
Sections 419, 420, 467, 468, 471, 379, 411, 120(B) & 34 of the
Indian Penal Code and Sections 66(c) & 66(d) of the IT Act.

3. On a tip off about withdrawal of money from ATM,
police conducted raid and apprehended the petitioner and on
search, two Debit Cards, two mobile phones and a cash of Rs.
10,000/- were recovered from the possession of the petitioner
who used to cheat innocent persons in the name of providing
them loan.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 08-12-2023. Petitioner bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that the recovered mobile phones and cash belongs to the petitioner and no debit card was recovered from the possession of the petitioner, as alleged by the police in the FIR. The petitioner is a driver and he earns his bread and butter by driving vehicle of his master. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Laheri P.S.



Case No. 736 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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