

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37977 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- BARBIGHA District- Sheikhpura

Kundan Kumar Son of Manoj Prasad Resident of Village - Khirbhojna, P.S. - Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K.Agrawal, Sr. Advocate
	:	Ms.Diksha Kumari, Advocate
	:	Mr.Arvind Kumar, Advocate
For the Opposite Party/s	:	Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Barbigha P.S. case No. 86 of 2024 instituted for the offences under Sections 419, 420, 467, 468, 120B of the Indian Penal Code.

3. Prosecution case, in short, is that, police, on the basis of secret information that some miscreants who are the members of cyber crime gang are planning to commit fraud using ATM machine, raided the place of occurrence and



apprehended six persons including this petitioner. On search, one mobile phone, cash amounting to Rs. 15,000/- and one debit card was recovered from this petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that the recovered articles belong to the petitioner and no any incriminating article has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C. Similarly situated co-accused person has already been granted bail by this Bench vide order dated 14.05.2024 passed in Cr. Misc. No. 35844 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.03.2024 and has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Barbigha P.S. case
No. 86 of 2024.

(Rudra Prakash Mishra, J)

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