

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41223 of 2024

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

Rakesh Kumar Son of Rampravesh Prasad R/O Vill.- Jhaur, P.S.-
Warisaliganj, Dist.-Nawada Petitioner/s

Versus

The State Of Bihar Patna Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Raj

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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

ORAL ORDER

2 21-06-2024 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. 13,300/- and three
debit cards were 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 belongs to the petitioner and no any incriminating/looted article has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C.. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.03.2024 and has one criminal antecedent. Co-accused has been granted bail by this Court vide order dated 14.05.2024 passed in Cr. Misc. No. 35844 of 2024.

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)

Prakash/-

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