

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52605 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- HATHUA District- Gopalganj

RAKESH KUMAR S/O RAMLOCHAN DAS R/O Dumariya, P.S-
Mohammadpur, Dist- Gopalganj, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey, Adv.

For the Opposite Party/s : Mr.Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Hathua P.S Case No. 76/2024 dated 05.04.2024 registered for the offence punishable u/ss 420, 467, 468, 471 read with 34 of the Indian Penal Code.

3. As per the prosecution case, the police apprehend three miscreants who disclosed their names as Deepak Kumar, Rakesh Kumar (petitioner) and Sunil Sahni. On search, 88 ATM cards of different banks were recovered from the possession of the co-accused, Deepak Kumar and the petitioner Rakesh Kumar who were involved in committing ATM fraud.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not the owner of the said car. Learned counsel has further submitted that neither the petitioner has concern with the business of ATM fraud nor he is the members of any syndicate. The co-accused person has already been granted regular bail by this court vide order dated 05.08.2024 passed in Cr. Misc. No. 50480 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Hathua P.S Case No. 76/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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