

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85159 of 2023

Arising Out of PS. Case No.-652 Year-2023 Thana- PATRAKARNAGAR District- Patna

1. Sourabh Kumar S/o Sri Ranjit Prasad @ Ranjeet Prasad R/o village-Dashrathapur, P.S-Girichak, District-Nalanda
2. Rupesh Kumar S/o Bhagwat Prasad R/o village-Dashrathapur, P.S-Girichak, District-Nalanda

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Patrakar Nagar P.S. Case No. 652 of 2023 registered under sections 419 and 420 of the Indian Penal Code.

As per FIR, on the basis of information, police team apprehended some co-accused persons from whose possession, Rs. 4,00,000/- along with atm cards of different banks has been recovered. It is alleged that this petitioner along with other co-accused persons are said to be the member of criminal syndicate who indulged in withdrawing the hard earned money of gullible citizens through fraudulently manner obtaining their ATM cards.



Further, the team raided the house another co-accused person as confessed by the apprehended accused persons, and from there, Rs. 6,00,000/- along with four ATM cards was recovered.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. They were not apprehended on spot. As per seizure list, it is clear that nothing has been recovered from the conscious possession of the petitioners rather the recovery of above said amount along with ATM cards was found from the possession of other co-accused persons. There is no independent witness of the seizure list rather they are police personnel. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 26.08.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Patrakar Nagar P.S.



Case No. 652 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.F.C, Patna.

(Sunil Kumar Panwar, J)

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