

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29606 of 2025

Arising Out of PS. Case No.-311 Year-2021 Thana- SHEKHPURA District- Sheikhpura

1. Tinku Kumar S/O Suresh Gadiman Mahto @ Suresh Prasad R/o Village- Jiyanbigha, P.S- Sheikhpura (Kusumbha), Distt.- Sheikhpura.
2. Niraj Kumar S/O Late Laxmi Mahto @ Shividhary Mahto R/o Village- Jiyanbigha, P.S- Sheikhpura (Kusumbha), Distt.- Sheikhpura.
3. Uday Kumar S/O Late Mathura Prasad R/o Village- Jiyanbigha, P.S- Sheikhpura (Kusumbha), Distt.- Sheikhpura.
4. Santosh Kumar S/O Kapildeo Prasad R/o Village- Jiyanbigha, P.S- Sheikhpura (Kusumbha), Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioners and
learned counsel for the State.

2. This is the first regular bail application of the petitioners seeking his regular bail in connection with Sheikhpura (Kusumbha O.P.) P.S. Case No. 311 of 2021 registered for the offence under Sections 419 and 420 of the Bharatiya Nyaya Sanhita.

3. According to the case of prosecution, on the date of incident on the basis of information received from the police officials, the investigating officer along with his team reached



on the spot where all the accused persons herein were caught hold by them. At that time, they are found in possession of some mobile phone, ATM Card, Adhar Card and PAN Card, etc. Allegedly all the accused persons were used those articles for the purpose of cheating of some persons, on these grounds the alleged offence have been registered.

4. It is submitted by the learned counsel for the petitioners that petitioners are innocent and have falsely been implicated in the present case. The entire prosecution case is taken as it is then also the offence under Sections 419 and 420 of IPC is not made out, as the ingredients of alleged offence is totally missing. All the applicants are in custody since 26.03.2025 and the trial will take time, therefore, on these grounds, it is prayed that the petitioners may be granted benefit of bail.

5. Learned counsel for the State opposes the arguments raised by the counsel for the petitioners.

6. Heard.

7. Perused the case diary and other materials available on record.

8. Considering the submissions made by the counsel for the petitioners without further commenting merits of



the case, I am of the view that it is a case where the petitioners should be granted benefit of bail.

9. Accordingly, the application is allowed.

10. The petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Sheikhpura in connection with Sheikhpura (Kusumbha O.P.) P.S. Case No. 311 of 2021.

(Arvind Singh Chandel , J)

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