

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84385 of 2024

Arising Out of PS. Case No.-217 Year-2024 Thana- KASBA District- Purnia

Ajay Kumar Son of Veer Bahadur Ram @ Virbahadur Resident of Village-
Basudeopur, P.S.- Nonhara, District- Gazipur, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Opposite Party/s : Ms. Dr. Indihar Kumari, APP

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

ORAL ORDER

3 25-02-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Kasba
P.S. Case No. 217 of 2024 instituted for the offence under
Sections 319(2), 318(4), 338, 336(3), 340(2) & 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that informant
investigated ‘Ekam Kishan Hut Pvt. Ltd.’ and found it to be a
fraudulent company charging Rs. 110/- for membership. During
the inquiry, locals apprehend petitioner, who admitted to using
fake Aadhaar cards and forged documents with his associates to
deceive people. The police recovered cash, files, and a mobile
phone from his possession.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20-09-2024. Petitioner bears no criminal antecedent/s, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that nothing incriminating seized article alleged to have been recovered from the possession of the petitioner. There is no independent witness to the occurrence. Learned counsel for the petitioner submits that petitioner is not indulged in the case of cheating nor he has been arrested after the evidence of cheating, though not even a single person has disclosed that they have been made a member of the said company. There is no compliance of Section 103 of the BNSS, 2023. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that the seized articles from the petitioner depicts that he has been cheating people. It is next fervently contended that identity card of CBI official in the name of petitioner, points toward the petitioner as cheating by impersonation.

7. Considering the aforesaid facts and circumstances



of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, 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 Kasba P.S. Case No. 217 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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