

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.69590 of 2021**

Arising Out of PS. Case No.-464 Year-2021 Thana- GRIYAK District- Nalanda

CHANDAN KUMAR Son of Murari Sao Resident of village - Katari Dih,  
P.S.- Katrisarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shivam

For the Opposite Party/s : Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY  
ORAL ORDER**

3      28-09-2022                      Let the defect(s), as pointed out by the office, be  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
Giriyak (Katrisarai) P.S. Case No. 464 of 2021 registered for the  
offences punishable under 420, 467, 468, 471, 419 of the Indian  
Penal Code read with Section 66(C) of the Information  
Technology Act, 2000.

As per prosecution case, there is allegation against  
the petitioner is that he tried to cheat the customers by providing  
them advertisement of job. It is further alleged that two mobiles  
and other articles were recovered from the possession of the  
petitioner.



Learned counsel for the petitioner submits that petitioner is in custody since 26.09.2021. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that even from the F.I.R., there is nothing to show that the petitioner has received any illegal amount for his personal gain and the amount of fee of form and other fee sent by persons cannot be said to be illegal. Only on the basis of suspicion and hypothesis the present F.I.R. has been lodged against the petitioner. Learned counsel further submits that even from the F.I.R. there was some photo state copies and advertisement issued in Dainik Bhaskar only goes to suggest that petitioner was simply helping the persons in filling of the application form.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the



petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – I, Nalanda at Biharsharif in connection with Giriyak (Katrisarai) P.S. Case No. 17 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Alok Kumar Pandey, J)**

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