

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50239 of 2018

Arising Out of PS. Case No.-66 Year-2018 Thana- GANDHIMAIDAN District- Patna

Rupak Kumar Ojha S/o Kishori Prasad Ojha, R/o Vill.- Kurmi Dih Pathar,
P.S.- Madhupur, District- Deoghar (Jharkhand), At present Ganga Bihar
Colony, Basi Chak, C/o Pankaj Singh, P.s.- Beur Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay
For the Opposite Party/s : Mr. Smt. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 420, 379/34 of the Indian Penal Code
and Section 66(c) of the I.T. Act.

Prosecution case, in short, is that the accused person
were indulged in cheating and forgery by sending messages
through the mobile of the customers of the informant company.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 8.3.2018 and has got no
criminal antecedent. Charge-sheet/prosecution report has been
submitted in this case. There is no allegation of tampering of
witnesses alleged against the petitioner. The petitioner has been



made accused due to mistake of fact. There is no substantive evidence to suggest the implication of the petitioner in this case. The petitioner has not used the mobile number in question nor the said mobile number in question belongs to the petitioner. The petitioner has remained in custody for six months.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -VI, Patna in connection with Gandhi Maidan P.S. Case No. 66 of 2018.

(Sudhir Singh, J)

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