

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5002 of 2019

Arising Out of PS. Case No.-16 Year-2018 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

SONU KUMAR @ HARSH RAJ Murari Prasad Singh resident of village-
Sheikhpura, Police Station- Sastrinagar, Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH SUPERINTENDENT OF POLICE,
ECONOMIC OFFENCE UNIT, BIHAR, PATNA Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Roy
For the Opposite Party/s : Mr.V.N.P.Sinha(Eou),Sr. Adv.
: Ms. Soni Shrivastava, Adv.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 21-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Economic offence P.S. Case No. 16 of 2018
registered for the offence punishable under Sections 419, 420,
120(B) of the Indian Penal Code and Section 66(C), 66(D) of
I.T. Amendment Act, 2008.

Allegation against petition is that he hacked the E-
wallet of some customers of Flipkart and delivered goods to
other customers, as a result the original customers had to pay for
the goods which they had not purchased.

It has been submitted on behalf of the petitioner that
petitioner is a student of Intermediate and he has no concern
with the transaction made by co-accused Swapnil Raj and said



Swapnil Raj was working as delivery boy in Instra Cart Service Pvt. Ltd. , who is delivery partner of Flipkart India Pvt. Ltd. It has been further submitted that on the alleged date of occurrence petitioner had simply accompanied co-accused Swapnil Raj and he has nothing to do with his work. Petitioner has no criminal antecedent and he is in custody since 24.11.2018.

Learned Counsel for the EOU has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Patna, in connection with Economic offence P.S. Case No. 16 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at



liberty to cancel his bail bond.

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

(S. Kumar, J)

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