

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45204 of 2019

Arising Out of PS. Case No.-244 Year-2019 Thana- PATRAKARNAGAR District- Patna

DEEPAK PRASAD @ DEEPAK KUMAR, S/o Late Bindeshwari Prasad R/o
village- Sundarpur, P.S.- Katri Sarai, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 30-09-2019 The petitioner apprehends his arrest in connection with Patrakar Nagar P. S. Case No. 244 of 2019 registered under Sections 120B, 419, 420, 464, 467, 468 and 471 of the Indian Penal Code and 66 (c)(d) of the Information and Technology Act.

The prosecution case as per FIR is that the police, while on patrolling duty, received secret information about cyber crime being conducted near Budha Dental College, the police proceeded towards place of occurrence and saw a suspicious person entered in the SBI ATM and after seeing the police party, that person tried to flee away but was apprehended by the police who disclosed his name as Vijay Kumar and recovered 28 ATM cards of different banks, one mobile phone and Rs. 40,000/- cash from his person. He also disclosed the name of the



petitioner as one of the members of the Gang.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case on suspicion and merely on the basis of statement made by the arrested co-accused. Learned counsel further submits that during the course of investigation, no material has come against the petitioner to connect him with the present offence. Learned counsel further submits that this Court was pleased to call for criminal antecedent report of the petitioner from the Senior Superintendent of Police, Patna, which has come and from perusal of the same, it would be evident that petitioner has got no criminal antecedent.

Having regard to the submissions made by the parties and taking into consideration the fact that no incriminating material has been recovered from the possession of the petitioner and the name of the petitioner has transpired on the basis of confessional statement of arrested co-accused, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two



sureties of the like amount each to the satisfaction of the learned Sub Judge-X-cum-ACJM, Patna in connection with Patrakar Nagar P.S.Case No. 244 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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