

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14092 of 2020

Arising Out of PS. Case No.-20 Year-2020 Thana- CHAPRA TOWN District- Saran

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MANISH JAISWAL @ MANISH KUMAR JAISWAL, aged about 34 years,
(Male), Son of Ishwardayal Gupta Resident of Village - Rupganj, P.S.- Chapra
Town, District - Saran (Chapra)

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

9 26-11-2020 Heard Mr. Y.C. Verma, learned senior counsel

assisted by Mr. Vinod Kumar Seth, learned counsel for the

petitioner and learned APP for the State through Virtual Court

Proceeding.

In this case, the petitioner is seeking regular bail in
connection with Chapra Town P.S. Case No. 20 of 2020,
registered for the offence under Section 420, 467, 468,
120(B)/34 of the Indian Penal Code.

This matter has a connection with another case i.e.
Tandwa P.S. Case No. 162 of 2019, in which S.I.T. was formed
and the allegation was made against Sujit Sinha Gang of
demanding extortion money of Rs.50,00,000/- from the



informant and for the said purpose mobile no.7079480574 was used. During investigation, it has come that the said SIM Card was issued in the name of one Golu Mahi, son of Ishwar Dayal Gupta at Rupganj, P.S.- Sadar District- Chapra and IMEI number used for the said purpose was 911134555392950. The mobile company informed that the alternative number used for activating the mobile, in question, was 7079479338 and it was issued in the name of Ramesh Yogi, son of Ishwar Dayal Gupta at Rupganj, P.S.- Sadar, District- Chapra. After getting the said information, when the Police came to Rupganj to verify the relevant informants, it was found that the SIM No.7479480574 was issued in the name of Golu Mahi and the Adhaar number used for the said purpose was 962360610244 and similarly the other mobile no.7079479338 was issued in the name of Ramesh Yogi by using Adhaar No.209230312542 and their mobile no.7549194782 was issued in the name of Manish Jaiswal by using Adhaar no.658981786953 but, the photo pasted over the Adhaar Cards of Golu Mahi and Ramesh Yogi was similar.

During investigation, petitioner namely, Manish Jaiswal confessed that Ramesh Yogi and Golu Mahi are the fictitious names and such persons do not exist and he along with Vijay Kumar, who were the distributors and DSE respectively of



Idea and Vodaphone mobile company, by interpolating and editing their Adhaar cards created fabricated documents and issued SIM Cards and sold it on higher price and similarly the mobile number, in question, i.e. 7079480574 was issued falsely in the name of Golu Mahi and the photo pasted over the application form was of Vijay Kumar and on the basis of fabricated Adhaar Card, which was of Manish Jaiswal, the said SIM Card was issued and activated and sold to someone, who are not acquainted with the petitioner. During investigation, Vijay Kumar revealed that he along with Manish Jaiswal, on the basis of false and fabricated documents, issued and activated Sim Cards and sold it on higher prices to different persons and he also revealed that the mobile number, in question, was activated by using his Carbon Mobile phone bearing IMEI no.911134555392955 and police seized and prepared the seizure list of the said mobile set of the petitioner namely, Manish Jaiswal. The petitioner has also accepted that the application form for issuing the mobile number, in question, contains his photograph and the name used was of Golu Mahi, who is a fictitious person and such person is not in existence. In such a manner, false and fabricated SIM card have been issued with ulterior purposes like demanding extortion money and



kidnapping.

Learned counsel for the petitioner submits that the petitioner is victim of situation as he handed over his Adhaar Card to co-accused Vijay Kumar, who misused his Adhaar Card. However, the material on record suggested that the petitioner actively involved in issuing and activating SIM cards on the basis of forged and fabricated documents, and thereafter sold the said SIM card on higher price, which were later on, used for criminal activity including demanding extortion money and kidnapping.

Learned counsel for the State submits that it is a serious matter as the petitioner used to hand over false and fabricated SIM card and the said Sim Card used for the wrong act of demanding extortion money.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected for the present.

(Shivaji Pandey, J)

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