

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78227 of 2019

Arising Out of PS. Case No.-336 Year-2019 Thana- KOTWALI District- Patna

VISHAL ANAND Son of Late Arun Kumar Resident of Mohalla- Chitkohra
Vishnupuri Anisabad, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 06-07-2020 The matter has been taken up through virtual court proceeding.

The present application has been filed for grant of bail in a case registered for the offences punishable under Sections 417, 418, 419, 420, 465, 466, 467, 468, 469, 470, 471 and 120B of the IPC and Sections 65, 66, 66(c) and 66(d) of the Information Technology Act, 2000.

The prosecution case as per the written report of Ms. Shilpee Soniraj, Registrar IT-cum-CPC is to the effect that she was informed by Nitesh, Senior Programmar that during security cheque, it was found that a fake website of the Patna High Court has been created, which appears to be replica of the real website of the Patna High Court, i.e. 'patnahighcourtnic.in.'. On the fake website, result with regard



to appointment of peon in the Patna High Court was published but subsequently, during investigation, name of the petitioner sprang up when he also made confession that fake website was created by him to dupe people. Similar forgery was earlier reported leading to registration of Patna Kotwali P.S. Case No. 101 of 2019 but no substantial progress has been reported. In the circumstances, the FIR was lodged against unknown persons. Subsequently, the recovery of Whatsapp screen shot details of the petitioner was made and from the house of co-accused Dheeraj Kumar alias Aryan, Whatsapp screen shot from Samsung mobile was seized and thereafter, it was revealed that in earlier case also the petitioner was accused. The petitioner made confession and named co-accused Rishikesh and Dhiraj.

Learned counsel for the petitioner submits that on merely on the basis of suspicion, the petitioner has been roped in the present case. No forgery has been done by the petitioner. It is further submitted that from the prosecution report it does not appear that actually who created forged website of the Patna High Court. The petitioner has been granted bail in the connected case whereas in the present case also, the other co-accused has been granted bail. Investigation has already been concluded, but still the police papers have not been supplied to



the accused, hence there is no likelihood of the trial being concluded in near future, particularly during the exceptional circumstances created by the present pandemic Covid-19 and the petitioner is languishing in custody since 15.05.2019.

Learned counsel for the state submits that the petitioner and other co-accused persons tried to cheat the people by creating a fake website of the Patna High Court and the petitioner is accused in one other case of similar nature.

Considering the fact that investigation has already been concluded and in other case lodged for the alleged same occurrence, the petitioner has been granted bail, moreover, in the present case co-accused has been granted bail and the report of learned CJM, Patna dated 30.6.2020 reflects that the matter is pending for supply of police paper to the accused persons, hence, there is no likelihood of the trial being concluded in near future, particularly during the exceptional circumstances created by the present pandemic Covid-19, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned CJM, Patna in connection with Kotwali P.S. Case No. 336 of 2019.

However, in view of the present pandemic COVID-



19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction learned CJM, Patna in connection with Kotwali P.S. Case No. 336 of 2019.

The learned Court below will be at liberty to further extend the period of provisional bail if the Court proceeding in physical mode will not resume in next three months.

However, if there is default for three consecutive occasions during trial, the learned court below will be at liberty to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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