IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.4753 of 2020

---

1. Kishor Mandal
2. Mahendar Mandal ..... Petitioners.

-Versus-

The State of Jharkhand. ..... Opp. Party.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioners : Mr. Rohan Mazumdar, Advocate
For the State : Mr. Ravi Prakash, Spl. P.P.

Order No.03 **Date: 17.10.2020**

This bail application is taken up through video conferencing.

The petitioner is an accused in a case registered under Sections 414, 419, 420, 467, 468, 471 and 120B of the Indian Penal Code; and Sections 66(B), 66(C) and 66(D) of Information Technology Act.

Mr. Rohan Mazumdar, learned counsel for the petitioners, submits that the petitioners have been falsely implicated in the present case and have committed no offence as alleged in the first information report. Though there is alleged recovery of mobile phones, ATM Cards and bank passbooks from the possession of the petitioners, yet the police has not been able to substantiate the said recovery with the commission of cybercrime by the petitioners. The petitioner no.1 has no criminal antecedent, whereas the petitioner no.2 has one criminal case pending against him being Bengabad P.S. Case no.309 of 2017, lodged by one of his agnates under Sections 341, 323 and 302 of the Indian penal Code. The petitioner no.2 has, however, no criminal antecedent so far as the offence relating to cybercrime is concerned. Similarly situated co-accused- Baiju Mandal and Vikash Kumar Mandal have already been granted bail by different Benches of this Court vide orders dated 27th July, 2020 and 11th August, 2020 in B.A. No.4379 of 2020 and B.A. No.4612 of 2020, respectively. The petitioners are in judicial custody since 19th March, 2020 and hence they may be given the privilege of regular bail.

Mr. Ravi Prakash, learned Spl. P.P., appears on behalf of the State and opposes the petitioners' prayer for bail.

Having heard learned counsel for the parties, I am inclined to enlarge the petitioners, above named, on bail. Accordingly, the petitioners are directed to be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand), each, with two sureties of the like amount, each, to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Cyber Case, Giridih in connection with Cyber P.S. Case No.06 of 2020.

(Rajesh Shankar, J.)

Sanjay/