

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9776 of 2021

Arising Out of PS. Case No.-109 Year-2020 Thana- BEUR District- Patna

SIKANDAR MANDAL S/O LATE TEK LAL MANDAL R/O VILLAGE
PANDANIYA P.S. AHILYAPUR DISTRICT GIRIDIH JHARKHAND

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-07-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case
registered for the offence punishable under sections 379, 420 of
the Indian Penal Code and section 66 of I. T. Act.

As per FIR, one Ramesh Kumar made a call on mobile
no. 7903113005 on 23.04.2020 at 3 p.m, to informant by his
mobile no. 6289405630 stating therein that Google Pay” of
informant needs to be activated. Informant activated the same.
Ramesh Kumar asked OTP number from the informant which
he stated also. Thereafter said Ramesh Kumar informed the
informant that his Google pay has become active. After some
time money was debited from informant's account without being



his knowledge and thus, cheated the informant.

It is submitted on behalf of the petitioner that entire allegation of fraudulent withdrawal is against co-accused Ramesh Kumar who cheated the informant by sharing his OTP during activating Google pay App. Neither petitioner has been arrested on the spot nor anything has been recovered from his possession. It is further submitted that petitioner has been remanded in this case on the basis of confession and is in custody since 02.09.2020. Investigation is complete.

Learned counsel for the State opposes the prayer for bail.

Considering the rival submissions and materials on record this bail application is allowed. Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate III, Patna in Beur P.S. Case no. 109/2020 on the following conditions.

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.



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

(Prabhat Kumar Singh, J)

s.hassan/-

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