

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19510 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- GRIYAK District- Nalanda

PRINCE KUMAR S/o Babloo Singh @ Tegan Singh Resident of Village-
Katardih, P.S.- Katrisarai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 419, 420,
467, 468, 471 of the Indian Penal Code and Sections 66(C),
66(D) of the I.T. Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that on 14.01.2021, he received
information that Subham Kumar in his orchard with his
associates was committing cheating by hacking data by using
false SIM and false account, accordingly, the informant reached
the place of occurrence and saw that several accused on seeing



the police force tried to flee away out of which one accused was apprehended who disclosed his name as Subham Kumar and disclosed the name of the accused persons who fled away after seeing the police. Further, from his possession Touch Screen mobile and name and address of several consumers along with red colour diary containing transaction along with other articles were seized. Further, at 08:20 a.m. another information was received that named accused persons were indulged in similar crime. Accordingly, the informant reached the place of occurrence from where five named accused persons were arrested who disclosed that 26 accused have fled away and from them several articles as detailed in the FIR were seized which were used for carrying such fraudulent transaction by resorting to Cyber crime. Further, at 09.55 a.m. another information was received that petitioner was also indulging in similar crime and, accordingly, the informant reached his house but the petitioner fled away and from his house articles were seized which was used in the crime as detailed in the third seizure list.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case and is a person with clean antecedent and he was earlier working with the company and during COVID he had to left work and had



come home. He further submits that from perusal of the seizure list three, it would manifest that the articles seized belong to the petitioner or his family member and petitioner has never indulged in such offence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the seizure list is clear that what all articles were seized as it has been submitted that various ATM Cards, PAN Card, Aadhaar Card, e-Shram Card, Election ID Card, Airtel SIM, Black JIO Button Mobile etc. were seized. He further submits that such documents and SIMs are used for Cyber crime and petitioner has given a very vague statement in para 8 of the anticipatory bail application that the articles either belongs to the petitioner or to his family members. He next submits that all the articles seized would have belonged to the petitioner or his family members then the petitioner would have specifically stated that as to which of the ATM and mobile number and the SIM card belong to whom but instead of clearly stating the said fact a vague statement has been made.

Be that as it may, considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a person with clean antecedent, the petitioner



above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Giriyak (Katrisarai) P.S. Case No. 16 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and further one of the bailors shall be the father (Babloo Singh @ Tegan Singh) of the petitioner.

If the police after investigation files charge-sheet against the petitioner, the present order shall lose its effect.

(Satyavrat Verma, J)

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