

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45136 of 2021

Arising Out of PS. Case No.-25 Year-2021 Thana- PARASBIGHA District- Jehanabad

NIRANJAN KUMAR S/o UMESH RAM R/o VILLAGE-SHAHPUR, P.S-
PARASBIGHA, DISTRICT-JEHANABAD, BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Parasbigha P.S. Case No. 25/2021, registered for the offence
punishable under Sections 419, 420, 465, 468, 467, 471, 120(B)
of the Indian Penal Code and Section 66(c) of the I.T. Act.

Prosecution case is that co-accused Gulshan Kumar,
Branch Manager, SBI, Pinjaur branch, had opened an account in
which certain amount had been transferred whereupon, the Bank
was informed by the Federal Bank that the said amount has been
transferred illegally, hence the same be returned back. In inquiry
it transpired that the ID and password of the said account had
been given by the said Gulshan Kumar to the petitioner, who
was in fact operating the said account. It is also alleged that



various amounts on various dates were transferred to the account in question and the same were being illegally transferred from one account to another.

Mr. Krishna Prasad Singh, learned Senior Counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence. Petitioner's name has figured during course of investigation in confessional statement of co-accused Gulshan Kumar to the effect that in fact petitioner requested for account details and e-banking credential of Gulshan Kumar in lieu of money at the instance of one Ankur Kumar. However, allegation of receiving amount is against co-accused Gulshan Kumar. Petitioner is neither beneficiary of the alleged suspicious transactions nor he has fraudulently used electronic signature, password or any other unique identification feature of any other person and thus offence under the IT Act is not made out against him. Similarly situated co-accused Ankur Kumar has already been allowed bail by a co-ordinate bench of this Court vide order dated 15.2.2022, passed in Cr.Misc.No. 43388/2021. Petitioner claims clean antecedent and he is in custody since 2.3.2021. Investigation is complete.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on



bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad in Parasbigha Police Station Case No. 25/2021.

(Prabhat Kumar Singh, J)

shashi/-

U		T	
---	--	---	--

