

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46724 of 2021

Arising Out of PS. Case No.-104 Year-2019 Thana- KOCHAS District- Rohtas

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TINKU KUMAR Son of Surendra Singh Resident of Village- Salathuan, P.S.-
Kudra, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 21-02-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 406, 420 of the Indian
Penal Code and u/s 66(D) of the I.T. Act.

As per the prosecution case, this petitioner withdrew
money through ATM from the bank account of informant by
using his mobile No. 8340671626.

Learned counsel appearing for the petitioner submits
that petitioner is not named in the FIR. The name of petitioner
has transpired in this case during the course of investigation.
There is no eye witness of the occurrence and only material that
has come against this petitioner that his mobile was used in the
commission of offence. Petitioner is in custody since 17.12.2020
and investigation in this case is complete.



Learned counsel appearing for the State opposes the prayer for bail and submits that on the basis of report of Cyber Crime and Social Media Unit, Dehri mobile no. of petitioner was detected and on that basis raid was conducted in the house of this petitioner and mobile and other articles were recovered from the house of this petitioner and witnesses have stated that petitioner is owner of mobile No. 8340671626 used in the commission of offence. Petitioner has got criminal antecedence and he is accused in 14 other cases of similar nature.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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