

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54578 of 2021

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

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GULSHAN KUMAR @ GULSHAL KUMAR SON OF SHYAM KUMAR
R/O VILLAGE- SHAHPUR, P.S.- PARASBIGHA, DIST.- JEHANABAD,
BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.

Mr. Prashant Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 31-03-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 419, 420, 465, 467, 468, 471, 120B of the Indian Penal Code and Section 66(C) of the Information & Technology Act.

The prosecution case, in brief, is that this petitioner had opened an account in SBI, Pinjaur branch, in which, certain amount had been transferred, whereon, the Bank was informed by the Federal Bank that the said amount has been transferred illegally, hence the same may be returned back. On inquiry, it transpired that the I.D. and password of the said account had been given by the petitioner to co-accused Niranjana Kumar, who was in fact operating the said account. It is also alleged that



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

It is submitted on behalf of petitioner that as per F.I.R., neither there is allegation that petitioner was personally operating the account, through online banking, nor he was instrumental in receiving the money in question through suspicion means. Petitioner is not the beneficiary of the alleged online transactions. Two similarly situated co-accused namely Ankur Kumar and Niranjana Kumar have already been granted bail by this Court, vide order dated 15.02.2022 in Cr.Misc. No. 43388 of 2021 and order dated 25.03.2022 in Cr.Misc. No. 45136 of 2021 respectively. Investigation is complete and petitioner is in custody since 02.03.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody and the fact that similarly situated co-accused have been granted bail, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Jehanabad in connection with
Parasbigha P.S. Case No. 25 of 2021.

(Prabhat Kumar Singh, J)

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