

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2455 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

PURUSHOTTAM KUMAR S/o Ashok @ Ashok Mahto @ Asho Resident Of
Village- Panchi P.S.- Sheikhopur Sarai, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad
For the Opposite Party/s : Mr.Satyendra Narayan Singh

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-05-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Sheikhopur Sarai PS Case No. 136 of 2022 dated 17-8-2022 registered under Section 419, 420, 467, 468, 471, 406, 120(B) / 34 of the IPC.

As per the FIR, Police got a secret information that some miscreants have assembled near Shailes Sthan in the village: Panchi, District- Sheikhpura, who are involved in cyber crime and collect money from the people by alluring them in the name of providing dealership of Himalaya Company and securing loan from Bajaj Finance. Police proceeded towards the place of occurrence to verify the information and upon seeing the Police party about 30-40 persons started fleeing away



however, Police arrested three persons namely, Balo Mahto @ Bablu Kumar, Kaliya Mahto @ Raju Prasad and Sandeep Kumar. The arrested co-accused / Balo Mahto @ Bablu Kumar disclosed the name of the petitioner as one of their accomplices.

Learned senior counsel for the petitioner submits that petitioner has falsely been implicated in the present case by the arrested accused persons and there is no material to connect the petitioner with the present offence. He next submits that none of the members of the public during the course of investigation disclosed the name of the petitioner that the petitioner at any point of time had allured them and accepted money for providing dealership and arranging loan for them. He next submits that Police did not recover any amount from petitioner's account said to be illegally collected by the petitioner from the general public. The SIM cards, laptop and other materials which were recovered by the Police as alleged in the FIR do not belong to the petitioner. Referring to supplementary affidavit, learned counsel for the petitioner submits that petitioner is aged about 21 years and is a student and after completing his B.Sc. he has appeared for B.Ed. Examination and the result is pending.

Regard being had to the submission made by the



parties, taking into consideration the material on record, the fact that petitioner was not arrested on the spot, none of the mobiles or laptop seized by the Police belongs to the petitioner, the petitioner is a student aged about 21 years of age, as such, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Sheikhpura in connection with Sheikhopur Sarai PS Case No. 136 of 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

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

