

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6334 of 2023

Arising Out of PS. Case No.-387 Year-2022 Thana- MAJHAULIA District- West Champaran

1. Deepak Kumar Baitha @ Aryan Son Of Suresh Baitha R/V- Jaukatiya Ps- Majhauilya Dist- West Champaran
2. Pappu Baitha @ Aaditya Son Of Ramesh Baitha R/V- Jaukatiya Ps- Majhauilya Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 399, 400, 401, 402, 409, 411, 413, 414, 419, 420, 467, 468, 471, 472, 379, 120B of the Indian Penal Code and Sections 66, 66© of the Information Technology Act.

Prosecution case relates to cyber crime and on the basis of secret information informant along with police party reached at the place of occurrence and apprehend FIR named accused persons and recovered some ATMs and other articles.



Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Name of the petitioner no-1 came into the light merely on the basis of apprehended accused persons, while name of the petitioner no-2 came into light merely on the basis of confessional statement of co-accused Tarik Hussain, which does not got any evidentiary value in the eye of law and petitioner no-2 is not named in the FIR. Petitioners have no concern with the alleged occurrence or recovered articles or with the accused persons. It is further submitted that nothing has been recovered from the conscious possession of these petitioners. Similarly situated co-accused has already been granted bail by this Court vide order dated 17.02.2023 passed in Cr. Misc. No. 63574 of 2022. Petitioners are languishing in judicial custody since 23.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the



petitioners on bail. The above named petitioners are directed to be released on bail in connection with Majhauriya P.S. Case No. 387 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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