

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7971 of 2023

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

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1. LALENDRA PRASAD @ LALA NONIA @ LALLA NONIA S/O KRISHNA NONIA Resident of village- Panchi, P.S.- Shekhopur Sarai, District- Sheikhpura.
 2. BABLU KUMAR @ BABLU NONIA S/O KRISHNA NONIA Resident of village- Panchi, P.S.- Shekhopur Sarai, District- Sheikhpura.
- Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Syed. Rizwanul Haque, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Shekhopur P.S. Case No. 136 of 2022 registered for the offences punishable under Sections 419, 420, 467, 468, 471, 406, 120(B)/ 34 of the Indian Penal Code. They have got no criminal antecedent.

As per the prosecution story, petitioners are active members of the cyber crime gang which is involved in alluring general public in name of agency of Himalaya Company and also providing loan from Bajaj Finance. As per the seizure list, huge number of mobiles embedded with SIM have been recovered. The petitioners collected money in different accounts



and after withdrawal, it was distributed among all.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that nothing has been recovered from the house of the petitioners .

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, wherein it appears that the name of the petitioner has transpired in the confessional statement of the co-accused who is said to have disclosed the name of 37 accused persons who are involved in the work of cyber crime, however, nothing has been recovered from the house of the petitioners and they have otherwise no criminal antecedent, hence, this Court directs release of the petitioners on bail in the event of their arrest or surrender within a period of four weeks from today in connection with Shekhopur P.S. Case No. 136 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpurar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition that within two weeks from



today the petitioners shall appear before the investigation officer of the case and cooperate in course of investigation. They will report in the police station as and when required by the investigating officer.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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