

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6710 of 2023

Arising Out of PS. Case No.-29 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Sandeep Kumar S/O Akhilesh Prasad @ Pramod Prasad R/O Village- Panchi,
P.S.- Sheikhopur Sarai, Distt- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brajesh Prasad Gupta
For the Opposite Party/s : Mr.Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sheikhopur Sarai P.S. Case No. 29 of 2021 registered under sections 406, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

As per prosecution case, the police party has proceeded to verify information received regarding some young persons including in cheating and fraud by using mobile phones. One co-accused Swapnil Santosh Prasad has been arrested who has allegedly stated the name of 26 persons including this petitioner who are also indulging in this act of fraud and cheating.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession which shows his complicity in the alleged offence. The name of the petitioner came into light in this case on the basis of confessional statement of other apprehended co-accused person, namely, Swapnil Santosh Prasad before the police. The petitioner has not committed any cyber fraud as alleged in the F.I.R. It is further submitted that the petitioner is languishing in judicial custody since 04.11.2022. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 25.02.2023. in Cr. Misc. No. 65870 of 2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sheikhopur Sarai P.S. Case No. 29 of 2021 on furnishing bail bond of Rs.



10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura.

(Sunil Kumar Panwar, J)

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