

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12753 of 2023

Arising Out of PS. Case No.-158 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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B.P.KUMAR @ BIKESH KUMAR Son of Gore Lal Mahto @ Rajendra
Prasad R/v- Mohabbatpur, P.S.- Shekhopur Sarai, District- Shekhpura, Bihar-
811103

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Sheikhopur
Sarai P.S. Case No. 158 of 2022 registered for the offences
punishable under Sections 406, 419, 420, 467, 468, 471, 120B
and 34 of the Indian Penal Code pending in the Court of learned
Chief Judicial Magistrate, Sheikhpura.

As per the prosecution case, informant got secret
information that 20 to 25 unknown miscreants assembled for
committing cyber crime and cheat innocent people. Seven
accused persons were caught and others were fled away and
various mobiles, ATC cards of different banks have been
recovered from the place of occurrence, which is alleged to be



used in crime.

Learned counsel for the petitioner submits petitioner is innocent and has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is made accused in the present case on the basis of confessional statement of the apprehended persons. Similarly situated co-accused have been granted bail by co-ordinate Bench of this Court vide order dated 04.04.2023 passed in Cr. Misc No. 70668 of 2022, vide order dated 01.05.2023 passed in Cr. Misc. No. 69179 of 2022 and vide order dated 09.05.2023 passed in Cr. Misc. No. 18074 of 2023. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is also involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the



learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

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