

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17867 of 2023

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

ANIS @ RAHUL @ ANIS KUMAR @ RAHUL KUMAR Son of Babloo
Ram R/v- Panchi, P.S.- Sheikhopur Sarai, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Sheikhopur Sarai P.S. Case No.136 of 2022, registered for offences under Sections 419, 420, 467, 468, 471, 406, 120(B)/34 of the IPC.

The allegation is regarding the informant, who was then posted as Officer-in-Charge, Sheikhopur Sarai Police Station having got information that some miscreants were sitting at Shailesh Sthan and were committing cyber crime as also were collecting money illegally from the



innocent people by alluring them in the name of dealership of Himalaya Company and sanctioning loan from Bajaj Finance Company, whereafter the informant along with his police force had reached at the place of occurrence, on the alleged date and time of occurrence, where they found 30-40 persons, however, upon seeing the police force, they started fleeing away, nonetheless, the police force managed to apprehend three persons, namely, Balo Mahto @ Bablu Kumar, Kaliya Mahto @ Raju and Sandeep Kumar. It is further alleged that the aforesaid three apprehended persons were interrogated and in the process several mobile phones with sim cards were recovered apart from recovery of laptops. Upon interrogation, the said apprehended co-accused persons had disclosed the names of their three accomplices including that of the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned



counsel for the petitioner has further submitted that merely on the disclosure made by the apprehended accused persons, the petitioner has been made an accused in the present case on suspicion and moreover, neither any incriminating articles have been recovered from the house of the petitioner nor the petitioner has been stated to have actually engaged in commission of crime.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner has been roped in the present case merely on suspicion, he has not specifically been alleged to have engaged in cyber crime and moreover, he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is



directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Sheikhpura in connection with Sheikhopur Sarai P.S. Case No. 136 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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