

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14529 of 2023

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

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1. Sanni Paswan @ Sannidev Paswan Son Of Indradeo Paswan R/O Village- Panchi, P.O.- Panhesa, P.S.- Shekhopur Sarai, District- Sheikhpura
 2. Karu Paswan Son Of Hari Paswan R/O Village- Panchi, P.O.- Panhesa, P.S.- Shekhopur Sarai, District- Sheikhpura
 3. Pintu Paswan Son Of Arjun Paswan R/O Village- Panchi, P.O.- Panhesa, P.S.- Shekhopur Sarai, District- Sheikhpura
 4. Rahul Kumar @ Benga Son Of Dulli Paswan R/O Village- Panchi, P.O.- Panhesa, P.S.- Shekhopur Sarai, District- Sheikhpura

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
For the Opposite Party/s	:	Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 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 Sheikhpur Sarai 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, on secret information that some miscreants have assembled at Shailesh Place to commit cyber crime, the informant along with other police personnel reached there and on seeing the police party 30-40



accused persons started fleeing away but 3-4 persons were apprehended on the spot who disclosed the names of other accused including these petitioners.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that nothing incriminating has been recovered from the conscious possession of the petitioners. It is also submitted that the co-accused similarly situated have already been granted privilege of anticipatory bail in Cr. Misc. No. 7971 of 2023 and Cr. Misc. No. 2455 of 2023.

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 is submitted that the name of the petitioners have been implicated in this case on the basis of confessional statement of the co-accused who is said to have disclosed the name of 37 persons who are involved in the work of cyber crime, however, there is no dispute by the State that nothing has been recovered either from the conscious possession of the petitioners or from the house of the petitioners and that they have no criminal antecedent as also the co-accused similarly situated have been granted privilege of pre-arrest bail in Cr.



Misc. No. 7971 of 2023 and Cr. Misc. No. 2455 of 2023, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners be released on bail in connection with Sheikhopur Sarai P.S. Case No. 136 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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 allowed.

(Rajeev Ranjan Prasad, J)

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