

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 17571 of 2023**

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

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JITO RAM @ JITENDRA RAM @ JITENDAR KUMAR S/O MAHENDRA
RAM Resident of Village- Mohabbatpur, P.S.- Sheikhopur Sarai, District-
Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

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

This is an application for grant of
anticipatory bail in connection with Sheikhopur
Sarai P.S. Case No.158 of 2022, registered for the
offences punishable under Sections 406, 419, 420,
467, 468, 471, 120 B and 34 of the Indian Penal
Code.

The allegation is regarding the police
having got secret information to the effect that
certain people are engaging in cyber crime,
whereafter the informant along with his police
force, on the alleged date and time of occurrence,



had reached near the pond of one Pradip Mahto, situated in Village Mohabbatpur, whereafter they had arrested seven persons, however rest of the accused persons had managed to flee away and on search several mobile phones with sim cards and other electronic gadgets were recovered. It is further alleged that upon interrogation, the apprehended accused persons had disclosed the names of their accomplices, including that of the petitioner herein.

The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that petitioner is an accused in one another case, but he is on bail in the said case. The learned counsel for the petitioner has also submitted that the name of the petitioner has transpired in the present case upon confessional statement made by the apprehended co-accused persons, however neither there is any evidence on record to suggest that the petitioner has



committed cyber crime, nor any incriminating articles have been recovered either from the possession of the petitioner or his house. Lastly, it is submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by co-ordinate Benches of this Court, vide orders dated 01.05.2023 and 09.05.2023, passed in Cr. Misc. No.69179 of 2022 and Cr. Misc. No.18074 of 2023, respectively.

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 petitioner, taking into account the materials available on record as also considering the fact that the name of the petitioner has transpired in the present case upon disclosure made by the arrested co-accused persons, apart from the fact that no specific allegation has been levelled regarding the petitioner having actually engaged in cyber crime, I deem it fit and proper to admit the



petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of her 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 Chief Judicial Magistrate, Sheikhpura in connection with Sheikhopur Sarai P.S. Case No.158 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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