

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18148 of 2023**

Arising Out of PS. Case No.-33 Year-2022 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

=====

Shubham Kumar Son Of Kameshwar Saw Resident Of Diwan Mohalla
Jhauganj Patna City, Ps Khajekala , Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shadab Akhter
For the Opposite Party/s : Mr.Satyendra Prasad

=====

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 27-07-2023 Heard learned counsel for the petitioner, learned
counsel for EOU and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 353, 387, 419, 420, 467, 468, 120B of the Indian Penal Code and Sections 66(C) & 66(D) of the I.T. Act.

3. As per prosecution case, some accused persons in connivance, in the name of Hon'ble the Chief Justice of Patna High Court, called the D.G.P. Bihar and other senior officers by normal call and whatsapp call on their official mobile numbers asking them to take some administrative decision in favour of one senior Officer (co-accused Aditya Kumar). On verification, it came to light that mobile user was claiming himself to be the



Chief Justice of Patna High Court and in place of his D.P., the photograph was C.J. Patna was fixed. Specific allegation of this petitioner is that he purchased two SIMs from shop of co-accused Gaurav Raj and provided it to Rajul Ranjan Jaiswal.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. The petitioner is neither the issuer of the SIM nor the user of the SIM card. He did not know Abhishek Agarwal or Aditya Kumar and with whom, the petitioner has no concern. The petitioner has not made any wrong call to anyone and no any incriminating material has been recovered from his conscious possession. This case is an outcome of the animosity existing between the two high officials of the police department and the petitioner has only been made as scapegoat. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Other co-accused namely, Abhishek Agarwal upon whom similar allegation was made, has already been granted bail by this Court vide order dated 19.5.2023 passed in Cr. Misc. No. 7097 of 2023, hence the case of this petitioner stands on similar footing of that of the co-accused. It is further submitted that the petitioner is languishing in judicial custody since



16.10.2022.

5. Learned APP appearing for the state and learned counsel for EOU have opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Economic Offence (Patna) P.S. Case No. 33 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st-cum-Special Judge, Economic Offence, Patna Sadar, District-Patna.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

