

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32619 of 2022

Arising Out of PS. Case No.-163 Year-2022 Thana- SHEKHPURA District- Sheikhpura

DIPAK KUMAR Son of Anuj Chaudhary Resident of Village - Pain, P.s.-
Sheikhpura, Distt.- Sheikhpura,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 23-02-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with

Sheikhpura P.S. Case No. 163 of 2022, registered for the

offences punishable under Sections 467, 468, 471, 419, 420

and 414 of the Indian Penal Code.

The prosecution case as emerges from the FIR is

that on 04.04.2022 at 5:00 AM, A.S.I., Hirday Narayan

Pandey along with his team were on patrolling and during

the course of patrolling he found four persons standing aside

the road. On search, they recovered several A.T.M. Cards,

P.T.M Cards and Mobiles from the accused petitioner and his



associates. On interrogation, they admitted that they were involved in Cyber crime, cheating and illegal withdrawals from bank accounts of the innocent persons.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the case is based only on suspicion and there is no complaint from anybody against the petitioner in regard to any Cyber Crime. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been languishing in jail since 05.04.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances,



this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. C.J.M., Sheikhpura in connection with Sheikhpura P.S. Case No. 163 of 2022 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after



hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(vi) In case, the petitioner commits any cyber crime after enlargement on bail, his bail-bond will be cancelled by the Court below.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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