

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37846 of 2023**

Arising Out of PS. Case No.-82 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

ASHISH RAJ @ GULSHAN Son of Rajendra Prasad Resident of village -
Dheusabigha, P.S.- Sheikhpura (Kusumbha O.P.), District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with

CRIMINAL MISCELLANEOUS No. 39347 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

SAURABH PATEL @ SAURAV PATEL @ AJAD SON OF SANJAY
PRASAD RESIDENT OF VILLAGE- MOHABBATPUR, PS-
SHEKHOPUR SARAI, DISTRICT- SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 37846 of 2023)

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Bharat Lal

(In CRIMINAL MISCELLANEOUS No. 39347 of 2023)

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Bharat Lal

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case
instituted for the offence under Sections 406, 419, 420, 467,
468, 471, 120B and 34 of the Indian Penal Code.



As per prosecution case, the informant received secret information that in village Mohabbatpur co-accused Saurabh Patel @ Ajad in doing work of cyber fraud and miscreants of other place are also stayed at his house. The informant along with police personnel reached the house of co-accused Saurabh Patel @ Ajad and found two boys, on enquiry they disclosed their names as Saurabh Patel @ Ajad and Ashish Raj @ Gulshan. On search of co-accused Saurabh Patel @ Ajad, there has been recovery of three mobile phones and one ATM Card from his possession and from co-accused Ashish Raj @ Gulshan, there has been recovery of one mobile, one Iphone, three ATM Cards and cash of Rs. 9,850/-. It is further alleged that the money, which has recovered said to have belong to cyber fraud.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. The co-accused Saurabh Patel @ Ajad and Ashish Kumar @ Gulshan are cousin. He submitted that the seized mobile phones, cash, ATM Cards and Iphone belong to these petitioners or their family members. No one has come to claim of seized ATM Cards, mobile phones etc. The provision of Section 100 of the Cr.P.C. has not followed in this



case, while preparing the seizure list. Nothing incriminating article has been recovered from the conscious possession of these petitioners. They are languishing in judicial custody since 03.05.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Sheikhopur Sarai P.S. Case No. 82 of 2023.

(Sunil Kumar Panwar, J)

arish/-

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

