

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39980 of 2023**

Arising Out of PS. Case No.-183 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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GANESH KUMAR @ GANESH KUMAR YADAV Son of Ashok Kumar @
Ashok Yadav Resident of Village - Mahanandpur, P.S.- Shekhopur Sarai,
District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP.

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 08-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 419, 420, 467, 468, 471, 120 (B)/34 of the Indian Penal Code.

3. Allegedly, on the basis of secret information, the informant along with other police personnel reached at the place of occurrence where they saw that some people gathered at P.O. Seeing the police party, some accused persons succeeded in fleeing away, whereas three of them were apprehended on the spot. On search, a lot of incriminating articles including bank pass-books, ATM cards of others, smart phones, laptops and a list of telephone numbers have been recovered. On further



query, the apprehended persons told that they used to commit fraud with innocent persons with the help of experts and disclosed that this petitioner along with other accused persons are also involved in committing cyber crime.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has been made accused in the present case merely on the basis of the confessional statement of the apprehended persons. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case as well as nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned



Court below within six weeks from today and seeks regular bail,
the learned Court below shall pass order on the same day in
accordance with law without being prejudiced by this order
considering the fact that some of the co-accused have been
granted regular bail.

(Anjani Kumar Sharan, J)

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