

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37954 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- KASBA District- Purnia

Md. Saddam @ Md. Saddam Hussain, aged 31 Years, Male, Son of Md. Naimuddin Resident of village - Dholbazza, P.S. - Kasba, Distt. - Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 42773 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- KASBA District- Purnia

Md Anzar Alam, Male, aged about 27 Yrs, S/O Majaharul Haque R/O Village- Bara Idgah, Ps. Amour, Dist. Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 37954 of 2023)

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
Dr. Bidhu Ranjan, Advocate
Mr. Kumar Rajdeep, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 42773 of 2023)

For the Petitioner/s : Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 06-09-2023 Both the petitions have been heard together as they arise out of the same P.S. case number.

2. Heard learned counsel for the petitioners and learned A.P.P. for the State.

3. The petitioners seek bail in connection with Kasba P.S. Case No. 40 of 2023 dated 28.01.2023, instituted for



the offences punishable under Sections 417, 419, 420, 465, 467, 468, 471, 472, 473, 474 and 120(B) of the Indian Penal Code.

4. The prosecution case, in brief, is that the petitioners and the co-accused persons are alleged to have assembled near old Kabir Ashram for making preparation to commit cyber crime. On search, 5 finger prints of different persons, Aadhaar number of different persons on a plain paper was recovered from the possession of petitioner, Md. Saddam, while from the possession of Md. Anzar Alam, one mobile phone, ATM Cards, PAN Card, Driving Licence, five finger prints of different persons and their Aadhar numbers etc. were recovered.

5. Mr. N. K. Agrawal, learned senior counsel for the petitioners submits that similarly situated person, namely, Md. Barik Anwar @ Babloo and Md. Masrul have been granted bail by a Co-ordinate Bench of this Court by order dated 07.07.2023 passed in Cr. Misc. No. 36646 of 2023. Similarly, and other accused person namely, Bhola Shah @ Bhola Prasad Sah has been granted bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 39752 of 2023. It is further submitted that the F.I.R. has been lodged against 12 named accused persons. It is also submitted that petitioner is innocent and he has been falsely



implicated in this case. Lastly, it has been submitted that the petitioners are in custody since 29.01.2023. Petitioner Md. Anzar Alam has no criminal antecedents, whereas, Md. Saddam @ Md. Saddam Hussain has one criminal case against him and charge-sheet has been submitted in the case.

6. Learned A.P.P. has opposed the prayer for bail of the petitioners.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, in connection with Kasba P.S. Case No. 40 of 2023.

8. The applications stand allowed.

(Khatim Reza, J)

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