

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46779 of 2023

Arising Out of PS. Case No.-4 Year-2018 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Sonu Kumar @ Patel Indrajeet Son Of Ajay Prasad Resident Of Village -
Parwati, P.S. - Kashichak, Distt. - Nawada. Present Address Resident Of
Village - Panchi, P.S. - Shekhopur Sarai, Distt. - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Sheikhopur
Sarai P.S. Case No. 04 of 2018 registered for the offences
punishable under Sections 406, 420, 467, 468, 471, 120(B)/34
of the Indian Penal Code pending in the Court of learned
C.J.M., Sheikhpura.

3. As per the prosecution case, it is alleged that the
petitioner is a member of a gang of Cyber criminals, who is
involved in cheating people by alluring one or another means.
After getting the order sheet from shopping company, they
called on their registered mobile numbers, thereafter, they lured
the customers in the name of lucky customers with prize of



goods and prize of car by pretending to be agents or employees of the company. Thereafter, instead of delivering the goods prize or car prize, they demand money and cheat people.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that no incriminating articles have been recovered from the possession or the house of the petitioner. He further submits that the name of the petitioner came in this case on the basis of statement of co-accused Santosh Kumar. The petitioner has six criminal antecedents as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that specific overt act has been attributed against the petitioner. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail,



the learned Court below would pass order on the same day in
accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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