

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51771 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- SARE District- Nalanda

SHUBHAM KUMAR SON OF ANIL KUMAR @ ANIL PRASAD R/O-
BENAR, P.S.-SARE, DISTT.-NALANDA Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manisha Prakash, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-08-2023 Heard the parties.

The petitioner is an accused in connection with Sare P.S. Case No. 69 of 2023 registered for the offences under sections 420, 379, 411 and 34 of the Indian Penal Code and sections 66(c) and 66 (D) of the I.T. Act lodged on 20.04.2023 by the informant, Vijay Kumar Singh.

As per the prosecution story, the allegation against the petitioner is that he was caught alongwith 37 ATM Cards, 8 PAN Cards, 8 Aadhar Cards, 13 SIM Cards of Airtel and 7 SIM Cards of Jio alongwith some mobile phones. The allegation of police is that he was engaged in cyber crime.

Learned Counsel for the petitioner submits that though there is allegation against him, no one has come forward to complain that there has been any withdrawal of amount.

Learned APP for the State, on the other hand, submits that a bare perusal of the FIR would show that he was caught



with 37 ATM Cards and he do not have the answer to the queries, how those ATM Cards were in his bag.

Considering the aforesaid facts as also the submissions put forward by the respective Counsels and contrary to the statement made in paragraph 3 of the petition that he do not have criminal antecedent, a bare perusal of the order sheet of the learned Session Judge shows that in connection with FIR No. 02/ 2023 of Cyber P.S. JJR (Haryana), the Court of Additional Chief Judicial Magistrate, Jhajjar (Haryana) wanted his presence before the said Court.

From the aforesaid facts, it is clear that the petitioner chose not to disclose his criminal antecedent in the petition and further the order sheet shows that he has criminal antecedent of the same nature inasmuch as a cyber crime case is lodged against him in Haryana.

In the aforesaid background, no relief can be granted to the petitioner, which is accordingly rejected.

(Rajiv Roy, J)

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