

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61423 of 2023

Arising Out of PS. Case No.-200 Year-2022 Thana- BAUNSI District- Banka

DEEPAK KUMAR MANDAL @ DEEPAK KUMAR SON OF SOMAR
MANDAL @ SOMWARA MANDAL RESIDENT OF VILLAGE PANIYA,
PS BARAHAT, DIST- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-10-2023 1. Heard the learned counsel for the petitioner and
learned APP for the State.

2. This is an application for grant of anticipatory bail
in connection with Bounsi P.S. Case No.200 of 2022, registered
for offences under Sections 414 and 420 of the IPC.

3. The informant is stated to have received secret
information that some miscreants were committing cyber fraud
in a garden, belonging to the co-accused person namely Uday
Yadav, whereafter the informant alongwith his police force had
conducted a raid at the alleged place on occurrence and nabbed
two miscreants, namely, Anish Kumar and Rohit Kumar,
however, one miscreant is stated to have managed to flee
away, whereupon, search was made and some mobile phones



were recovered and upon interrogation, the arrested accused persons had disclosed the name of their accomplice, i.e. the petitioner herein.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that neither the petitioner has been arrested from the spot nor any allegation has been made of actual commission of any sort of cyber fraud, hence the petitioner is having no complicity in the matter, thus the petitioner be granted privilege of anticipatory bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the informant has not alleged that cyber fraud was actually committed by the accused persons, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.



7. Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Bounsi P.S. Case No.200 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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