

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62117 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- Cyber P.S. District- Nawada

1. BANTY KUMAR @ BANTEE KUMAR SINGH SON OF JAIRAM SINGH VILLAGE BHANDAJOR, PS- ROH, DIST- NAWADA AT PRESENT RESIDENT OF 198/17, RAMESH MARKET, EAST KAILASH, SOUTH DELHI-110065
2. RAHUL KUMAR @ SAILESH KUMAR SON OF JAIRAM SINGH VILLAGE BHANDAJOR, PS- ROH, DIST- NAWADA AT PRESENT RESIDENT OF 198/17, RAMESH MARKET, EAST KAILASH, SOUTH DELHI-110065

... .. Petitioner/s

Versus

The State of Bihar PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv.
For the Opposite Party/s : Mr.Jai Narain Thakur, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 417, 418, 419, 420, 465, 446, 467, 468, 472, 12B of the Indian Penal Code and Sections 66, 66B, 66C, 66D of the Information Technology Act, 2000.

3. The allegation against the petitioners is that they cheated the innocent people in the name of Dhoni Finance, Bajaj Finance, etc. using fake sim cards for earning the money fraudulently. It is further alleged that the police team recovered



Rs. 1.35 lacs cash, four mobile phones, seven sim cards, 12 ATM cards in the name of different persons from the possession of the apprehended co-accused, who disclosed the name of the petitioners as their associates.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. Nothing has been recovered from the physical possession of the petitioners. Petitioners are living in Delhi and they are working as Taxi Driver. They have no concern with the alleged occurrence. Their name has been transpired in the present case merely on the basis of the confessional statement of the apprehended co-accused. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail.

7. The prayer for anticipatory bail of the petitioners is



hereby rejected.

8. However, if petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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