

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62463 of 2023

Arising Out of PS. Case No.-323 Year-2023 Thana- BARBIGHA District- Sheikhpura

SHUBHAM KUMAR son of Sanjay Mistry @ Sanjay Mistri Village-
Nashratpur Ps-Barbigha Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 419, 420, 379 and 120B
of the Indian Penal Code.

3. The allegation against the petitioner along with
others is of involving in cyber fraud. It is further alleged that an
amount of Rs. 8, 89, 500/- and mobile phone has been
recovered from the possession of the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the seized mobile
phone belongs to this petitioner. So far the cash amount is
concerned, in which Rs. 8, 89,500/- has been taken by the father



of the petitioner on *Baibeyana* for sale of his land bearing Khata No. 24, Khera No. 68 measuring an area of 2 Dismil. The petitioner has also taken Rs. 2,00,000/- for trade of furniture from his maternal Abhijit Kumar, which was kept in his house. The petitioner has also taken loan in the name of his mother for running his furniture business. So far rest amount is concerned the petitioner along with his father and brother running a furniture shop and in advance he has taken some money for providing the furniture to the customers. The provision of Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 24.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate,



Sheikhpura in connection with Barbigha P.S. Case No. 323 of
2023.

(Sunil Kumar Panwar, J)

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