

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67850 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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1. Santosh Kumar Son Of Late Ram Prasad Mahto Redient Of Village - Mochrim (Mocharim), P.S. - Bodh Gaya, District - Gaya
 2. Umesh Das Son Of Late Garbhu Das Resident Of Mohalla - Manpur Kumhar Toli, P.S. - Mufassil, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Economic Offence Unit, Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 379, 420, 467, 120B of the Indian Penal Code and Sections 66, 66(C), 66(D) of the I.T. Act.

3. As per prosecution case, the informant, who is the police Inspector of Economic Officer Unit, Bihar, Patna alleged that on the pretext of verification of election card some persons introducing himself or impersonating himself as an Election Officer or Booth Lever Officer, a mobile app namely



“AnyDesk” is being downloaded and thereafter OTP was being obtained from the persons and after obtaining the said OTP of the said APP the petitioners along with others deceive the person and withdraw the money from their account.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. There is no specific allegation against these petitioners rather general and omnibus allegation has been levelled against the petitioners. During investigation, the mobile of the petitioners were also scrutinized and verified by the Economic Offence Unit but nothing has come from which it can be said that the said mobile was used for deceiving any person. Except suspicion, there is no any direct and indirect evidence has come against the petitioners to show their complicity in the alleged occurrence. No incriminating articles have been recovered from the conscious possession of these petitioners. He submitted that the Charge-sheet has already been submitted against these petitioners. They are languishing in judicial custody since 03.02.2023.

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 petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Patna in connection with Economic Offences, Bihar P.S. Case No. 08 of 2023.

(Sunil Kumar Panwar, J)

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