

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67017 of 2023

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

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Jitendra Saw @ Jeetu @ Jitendra Kumar @ Jeetu Saw Son of Ashok Sao
Resident of Village Bhandajor, P.S. Roh, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Ms. Vaishnavi Singh, Adv. Mr. Titwik Thakur, Adv.
For the Opposite Party/s :		Mr. Vinod Shanker Modi, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-12-2023 Heard learned counsel for the petitioner and learned
APP for the State and also perused the case diary.

2. The petitioner seeks bail in connection with Cyber
(Nawada) P.S. Case No. 11 of 2023 instituted for the offences
under Sections 417, 418, 419, 420, 465, 466, 467, 468, 472,
120B) of the Indian Penal Code and Sections 66, 66B, 66C, 66D
of the Information Technology Act.

3. As per prosecution case, the accused persons
including the present petitioner are alleged to have been
indulged in making forgery and used to dupe the innocent
people by way of inducement of having false assurance of
providing loan using mobile phones. Some of the accused



persons have been arrested by the police at the spot itself who disclosed the name of the petitioner as their associate. On search, altogether Rs. 1.35 lac in cash, four mobile phones, seven SIM Cards, twelve ATM cards in the name of different persons were recovered from the possession of the apprehended persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner was not arrested on the spot and his name has surfaced in this case on the basis of the confessional statement of the co-accused. The petitioner has no criminal antecedent. Nothing incriminating has been recovered from the possession of the petitioner.

5. Learned counsel for the petitioner further submits that the other co-accused persons, namely, Raushan Kumar and Rocky Kumar have been granted bail by a Co-ordinate Bench of this Court vide orders dated 11.10.2023 and 17.10.2023 passed in Cr. Misc. Nos. 64026 of 2023 and 65399 of 2023 respectively.

6. The petitioner is in judicial custody since 29.06.2023.

7. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioner.

8. Considering the entire facts and circumstances of the case and taking into account the period of custody as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Cyber (Nawada) P.S. Case No. 11 of 2023, subject to following conditions;

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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