

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71157 of 2023

Arising Out of PS. Case No.-215 Year-2023 Thana- NALANDA District- Nalanda

Ram Balak Kumar S/O Sri Suresh Prasad Village- Raghu Bigha, Ps. And
Distt. Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Nalanda P.S. Case No. 215 of 2023 registered on 05.09.2023 for the alleged offences under Sections 406, 420, 467, 468, 471 of the Indian Penal Code and Section 66(C), 66(D) of the I.T. Act.

03. As per prosecution case, the petitioner was apprehended on suspicion by the police party. From the possession of the petitioner, a number of mobile phones, Debit Cards, A.T.M. Cards and Shopping Cards were recovered. The petitioner did not produce any valid document for these articles. On further investigation, the police came to know that petitioner has been involved in cyber fraud and he traps innocent persons



and extort money from such persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Allegations are completely false and fabricated. The petitioner is not involved either in cyber fraud or any extortion racket. Even during course of investigation, no person has made any complaint against the petitioner. The preparation of seizure list is doubtful since there is no signature of any independent witness and witnesses on the seizure list are member of the police party. There is no recovery of any incriminating article from the conscious possession of the petitioner and even seized articles have not been recovered from the possession of this petitioner. The petitioner is in custody since 06.09.2023. The petitioner has got no criminal history.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation without any substantive material to connect the petitioner with the offences as alleged and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner



above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-VIII, Nalanda at Biharsharif/concerned court in connection with Nalanda P.S. Case No. 215 of 2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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