

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75050 of 2022

Arising Out of PS. Case No.-446 Year-2022 Thana- KOTWALI District- Patna

Rajvir Raj Son Of Ramanuj Singh Resident Of- Mahiyarpur, Tarawan, P.S.-
Tankuppa, District- Gaya-805128

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shadab Akhter
For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Kotwali (Patna) P.S. Case No. 446 of 2022 registered under sections 418, 419, 420, 467, 468, 471 and 120(B) of the Indian Penal Code and Section 66 of the Information Technology Act.

The prosecution case in short, is that, when the informant got secret information about inter state gang of Cyber Criminals gathered at Mahavir temple and planning to commit some offence, he along with police personnel raided the place of occurrence and apprehended the accused persons including the petitioner. On search, three Paytm POS machine along with mobile phones have been recovered from them.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The allegation against the petitioner is that he opened bank accounts on fake identity in small banks that is linked to the Paytm POS machine and later withdraw money from these bank accounts, however there is no details of bank accounts. During investigation, there is not even a single penny recovered to prove fraud transactions. Hence, no element of cheating is established and this fact is mentioned in para 11 and 12 of the petition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 10.08.2022. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 27.02.2023. in Cr. Misc. No. 68470 of 2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is



directed to be enlarged on bail in connection with Kotwali
(Patna) P.S. Case No. 446 of 2022 on furnishing bail bond of
Rs. 10,000/- (Rupees ten thousand) with two sureties of the like
amount each to the satisfaction of the learned Judicial
Magistrate 1st Class, Patna Sadar, District- Patna.

(Sunil Kumar Panwar, J)

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