

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75866 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- Cyber P.S. District- Nalanda

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1. BANTI KUMAR Son of Krishna Murari Singh Resident of village - Saidi, P.S.- Karisarai, District - Nalanda
 2. Bikash Kumar @ Vikash Kumar Son of Parshuram Singh Resident of village - Saidi, P.S.- Karisarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioners and learned counsel for the State.

2. Learned counsel for the petitioners seeks permission to withdraw the present application for the petitioner no. 1, Banti Kumar.

3. Permission is accorded.

4. Accordingly, the present application for the petitioner no. 1, Banti Kumar is dismissed as withdrawn.

5. The petitioner is apprehending his arrest in a case in connection with Nalanda Cyber P.S. Case No. 45 of 2023 dated 26.08.2023 registered for the offence/s punishable u/ss 419, 420, 467, 468, 471, 379, 120B read with section 34 of the Indian



Penal Code and sections 66C, and 66D of the IT Act.

6. As per the prosecution case, the petitioners are alleged to have involved in cyber fraud in the name of Escort Service Calls for getting innocent people married and are collecting illegal money. On secret information, during raid, eight mobiles and Rs. 5,50,000/- in cash were recovered from the house of Banti Kumar and thirteen mobiles, two debit cards, one sim card, one notebook and Rs. 1,94,000/- were recovered from the house of the petitioner no. 2, Vikash Kumar.

7. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. No one has complained against the petitioner regarding the fraud. The seized amount is hard earned amount of the petitioner. The petitioner no. 2, Vikash Kumar has no criminal antecedent as stated at para 3 of the bail petition.

8. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

9. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, let the above named petitioner no. 2 (Vikash Kumar), in the event of his arrest/surrender within a period of six weeks from today, be



enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Nalanda at Bihar Sharif in connection with Nalanda Cyber P.S. Case No. 45 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i). The petitioner no. 2 (Vikash Kumar) is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

10. The application stands allowed.

(Chandra Prakash Singh, J)

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