

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75199 of 2022

Arising Out of PS. Case No.-240 Year-2021 Thana- KASHICHAK District- Nawada

RAJU KUMAR @ RAJU KUMAR SINGH Son of Sri Arun Singh Resident
of Village- Bhagwatpur, P.S.- Kashichak Shahpur, O.P., District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Kumar, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Kashichak P.S. Case No.240 of 2021, registered for offences under Sections 419 and 420 of the IPC and Sections 66(C) and 66(D) of I.T. Act.

The allegation is regarding the informant having received information on the alleged date and time of occurrence that some persons are indulging in forgery and cheating by enticing several persons in the orchard, situated towards north-east of the village-Bhagwatpur and in the process of diverting



money in their account by committing cyber crime, whereafter the informant alongwith his police force had arrived at the said orchard and found several incriminating materials/articles alongwith mobile phones and arrested some of the co-accused persons, who had disclosed the names of other accused persons, including the petitioner herein to be involved in committing cyber crime.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that neither the petitioner has been found engaged in any sort of cyber crime nor he has been caught from the spot nor any incriminating materials/articles have been recovered from his possession. Lastly, it is submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide orders dated 28.11.2022 and 09.12.2022, passed in Cr.Misc No.



34948 of 2022 and Cr.Misc No.68528 of 2022, respectively.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the similarly situated co-accused persons, who have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten



thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, 1st Nawada in connection with Kashichak P.S. Case No.240 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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