

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7198 of 2024

Arising Out of PS. Case No.-6 Year-2023 Thana- Cyber P.S. District- Nalanda

Ajit Kumar @ Dimpal Singh S/o Satish Singh R/o Vill - Lakhmohana, P.S. -
Nemdarganj, Dist. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Nalanda Cyber P.S. Case No. 06 of 2023, registered for the alleged offence under Sections 379 and 420 of the Indian Penal Code and Section 66(c) of the I.T. Act, 2000.

03. As per prosecution case, the ATM Card of the father of the informant was changed by a youth in the ATM booth and by using that card withdrawal of Rs. 95,600/- has been made by the co-accused. The petitioner's name transpired during investigation.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner transpired in this case on the basis of confessional statement of co-accused Abhimanyu



Kumar who is co-villager of the petitioner. The petitioner has been named in this case merely on suspicion. The petitioner owns a car which was given to the co-accused Abhimanyu Kumar on hire and the co-accused made payment of Rs. 5,000/- to the petitioner. For that, the petitioner was made accused in Nalanda Cyber P.S. Case No. 26 of 2023 and was granted bail by the learned Chief Judicial Magistrate, Nalanda and the vehicle in question was released in favour of the petitioner. The co-accused Abhimanyu Kumar was arrested in connection with the present case on the basis of CCTV footage and when he was apprehended his confessional statement has been recorded and the petitioner has been falsely implicated in this case on the basis of suspicion. Learned counsel further submits that the petitioner has himself admitted in the earlier case that the vehicle was taken on hire and he received payment on that account, still he has again been implicated in this case. Apart from the aforesaid case, no other case is pending against the petitioner.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail. Learned APP submits that the petitioner appears to be a member of gang of cyber criminal.

06. Having regard to the facts and circumstances and



submission made on behalf of the parties and considering the lack of material against the petitioner with vague nature of allegation against him, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif/concerned court in connection with Nalanda Cyber P.S. Case No. 06 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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