

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8945 of 2024

Arising Out of PS. Case No.-2 Year-2023 Thana- Cyber P.S. District- Nalanda

Vicky Raj, aged about 19 years (Male), Son of Bal Vrind Paswan, resident of Mohalla- Saluganj, P.S. Bihar, Dist. Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate
For the Opposite Party : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

7 06-05-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Nalanda Cyber P.S. Case No. 02 of 2023 dated 20.06.2023 registered for the offences punishable under Sections 379, 420 of the I.P.C. and Section 66(C)(D) of the I.T. Act.

3. As per the prosecution case, the informant contacted a service centre, thereafter a person called him from a number and another person as a mechanic also called him. They asked him to download an 'Any Desk App' and asked the informant to pay Rs. 1/- on a Whatsapp shared link. Thereafter, they asked his OTP and a total of Rs. 4,50,000/- got debited from his S.B.I. Account.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. rather mobile nos. 7501865908, 9123325358 and 8777031251 have been mentioned. The petitioner has no concern with the aforesaid mobile numbers and any cyber crime. It is submitted by learned counsel for the petitioner that Rs. 2,50,000/- has been credited in the account of the petitioner bearing No. 110103319486 from the account of the informant bearing No. 39638134147 dated 16.06.2023 which was received innocently by the petitioner at the instruction of his friends, namely, Abhishek and Rohit. Thereafter, the petitioner has transferred the said amount Rs. 2,50,000/- to Abhishek and Rohit in various manner. The petitioner has clean antecedent, as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 07.07.2023.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to 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 learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Nalanda Cyber P.S. Case No. 02 of 2023 with further conditions:-

(i) The petitioner 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 bonds of the petitioner are liable to be cancelled.

II. If the petitioner is found involved in any other similar nature of case in future, the prosecution will have liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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