

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13448 of 2024

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

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Banti Kumar S/O Krishna Murari Singh R/O Village- Saidi, P.S- Karisarai,
Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Pankaj Kumar, Advocate

For the State : Mr. Arvind Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Nalanda Cyber P.S. Case No. 45 of 2023 instituted for the offence under Sections 419, 420, 467, 468, 471, 379, 120(B) & 34 of the Indian Penal Code and Sections 66 (C) & 66(D) of the IT Act. Earlier *vide* order dated 14-12-2023, passed in Cr. Misc. No. 75866 of 2023, prayer of the petitioner for grant of anticipatory bail was dismissed as withdrawn.

3. As per the prosecution case, the petitioner is alleged to have involved in cyber fraud in the name of Excart Service Calls for getting innocent people married and collecting illegal money. On secret information, during raid, eight mobile



phones and Rs. 5,50,000/- in cash were recovered from the house of the petitioner and thirteen mobile phones, two debit cards, one sim card, one notebook and Rs. 1,94,000/- were recovered from the house of co-accused, namely, Vikash Kumar.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05-12-2023. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner is the son of farmer having good agricultural area and the seized cash is his own property. So far as recovery of mobile phones are concerned, it is submitted by the petitioner's counsel that the same does not belong to the petitioner as the petitioner was not present at his house when the recovery was being made. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the



petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nalanda Cyber P.S. Case No. 45 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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