

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12342 of 2024

Arising Out of PS. Case No.-61 Year-2023 Thana- Cyber P.S. District- Nawada

Rajesh Kumar S/O Anil Prasad R/O Village- Paigari, P.S- Warisaliganj, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Birendra Kumar, Advocate
For the State : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Cyber P.S. Case No. 61 of 2023 instituted for the offence under Sections 414, 419, 420, 467, 468, 471, 120(B) of the Indian Penal Code and Sections 66, 66(B), 66(C) & 66(D) of the IT Act.

3. As per the prosecution case, the petitioner along with other co-accused persons are indulged in cyber crime. It is further alleged that they enticed the innocent people and committed fraud with them. The petitioner was arrested on the spot and three mobile phones were recovered.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 25-11-2023. Petitioner is stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. From perusal of the FIR, it would reveal that recovery is from an open place, which is accessible to one and all. So far as recovered mobile phones are concerned, it belongs to the petitioner. Other co-accused have been allowed bail by a Co-ordinate Bench of this Court *vide* order dated 06-02-2024 & 16-02-2024 passed in Cr. Misc. No. 6647 of 2024 & Cr. Misc. No. 6774 of 2024.

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, clean antecedent of the petitioner and claim based on parity, 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 Cyber P.S.



Case No. 61 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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