

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1952 of 2024

Arising Out of PS. Case No.-33 Year-2023 Thana- Cyber P.S. District- Nawada

Pappu Kumar, S/o - Jethu Rajvanshi, resident of village- Karma Khurd, P.S. -
Sirdala, Dist - Nawada, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 15346 of 2024

Arising Out of PS. Case No.-33 Year-2023 Thana- Cyber P.S. District- Nawada

Dilip Kumar Khushwaha @ Dilip Prasad Kushwaha Son of Jalo Mahto,
Resident of Village - Bishunpur, P.S. - Goviindpur, District - Nawada

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 1952 of 2024)

For the Petitioner : Mr. Vibhakar Kumar, Advocate

For the Opposite Party : Mr. Anand Kishore Choudhary, APP

(In CRIMINAL MISCELLANEOUS No. 15346 of 2024)

For the Petitioner : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 28-06-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. These applications for grant of regular bail

arises out of Cyber P.S. case No.33 of 2023 registered for the

offence punishable under Sections 66/66(B)/66(C)/66(D) of the

I.T. Act.

3. As per the F.I.R., petitioner Dilip Kumar



Khushwaha @ Dilip Prasad Kushwaha, who is running a CSP centre of Madhya Bihar Gramin Bank, has fraudulently withdrawn an amount of Rs.2,10,000/- from the bank account of the informant by taking her finger print. The name of the petitioner - Pappu Kumar has come during investigation on the basis of confessional statement of co-accused.

4. The petitioners are in custody since 24.09.2023 and 30.10.2023 respectively.

5. Learned counsel for the petitioners of both the cases jointly submit that the petitioners are ready to return the entire amount of Rs. 2,10,000/-. They further submits that petitioner - Pappu Kumar is ready to return an amount of Rs.75,000/- to the informant and petitioner- Dilip Kumar Khushwaha is also ready to return the rest amount i.e. Rs.1,35,000/- to the informant without accepting their guilt.

6. Considering the nature of allegation as well the submission of learned counsel for the petitioners, these bail applications are allowed.

7. Let the petitioner - Dilip Kumar Khushwaha @ Dilip Prasad Kushwaha be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Nawada, in connection with Nawada Cyber P.S.
Case No. 33 of 2023.

8. This is subject to the condition that at the time of furnishing bail bonds, the petitioner- Dilip Kumar Khushwaha @ Dilip Prasad Kushwaha shall furnish a demand draft of Rs.1,35,000/- prepared in the name of the informant before the Court below. If the petitioner-Dilip Kumar Khushwaha @ Dilip Prasad Kushwaha furnishes the demand draft of Rs.1,35,000/-, his bail bonds shall be accepted by the Court below and he will be released on bail. The Court below shall hand over the aforesaid demand draft of Rs.1,35,000/- to the informant. The petitioner - Dilip Kumar Khushwaha @ Dilip Prasad Kushwaha is granted four weeks time to furnish the bail bonds and demand draft, as stated above.

9. So far as the petitioner - Pappu Kumar is concerned, he is directed to be released *on provisional bail for a period of five weeks from the date of his actual release* on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada, in connection with Nawada Cyber P.S. Case No. 33 of 2023.

10. This is also subject to the condition that the



petitioner - Pappu Kumar shall pay an amount of Rs.75,000/- to the informant within four weeks from the date of his release. If the petitioner - Pappu Kumar pays the aforesaid amount of Rs.75,000/- to the informant within the stipulated period, his bail bonds shall be confirmed by the Court below. If the petitioner does not pay the aforesaid amount of Rs.75,000/- to the informant within stipulated period, his bail bonds shall be cancelled by the Court below. The Court below, at the time of accepting the bail bonds of the petitioner, shall take an undertaking from the petitioner - Pappu Kumar in this regard.

(Sandeep Kumar, J)

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