

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16454 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- Cyber P.S. District- Purnia

Prabhat Kumar Son Of Manoj Mandal Resident Of Village - Durgapur
Singhiyan Sundar, Ps- Bhawanipur, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Cyber P.S. case No.
49 of 2023 instituted for the offences under Sections 419,
420, 379, 34 of the Indian Penal Code and Sections 66(c),
66(D) of the I.T. Act.

3. Prosecution allegation, in short, is that the
petitioner along with co-accused persons were indulged in
cyber fraud pertaining to opening of bank account. Several
Aadhaar Cards, mobile phones and other documents were
recovered from their possession.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. No incriminating material has been recovered from the conscious possession of the petitioner. So far the recovery of ATM cards and PAN cards are concerned, the same belong to the petitioner. There is no allegation of withdrawing any money with said ATM cards. It is lastly submitted that there is no compliance of Section 100 of Cr.P.C. Co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 13.03.2024 passed in Cr. Misc. No. 16906 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner, the period of custody undergone by the petitioner and the claim based on parity, this Court is inclined to grant bail to the petitioner.

7. 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. 49 of 2023.

(Rudra Prakash Mishra, J)

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