

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16770 of 2024

Arising Out of PS. Case No.-13 Year-2023 Thana- Cyber P.S. District- Gopalganj

Santosh Paswan S/o Vinod Manjhi R/o vill - Dharamchak, P.S. - Uchakagaon,
Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyadarshi Pankaj Raj Anand

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Gopalganj (cyber) P.S. Case no. 13 of 2023 instituted for the offence under Sections 420, 406, 467, 468 of the Indian Penal Code.

3. As per the FIR, informant runs a Customer Service Point of Fino payment Bank in the name of Aryan Enterprises in Turkaha Raja Mart, Gopalganj. On 14.08.2023 two accused persons entered into his shop and committed online cheating by using QR Code with C.S.P. Operators. Co-accused Ajay Kumar was apprehended on spot after chase and he disclosed the name of the petitioner, who managed to escape.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner was neither arrested on spot nor any incriminating article was recovered from his possession. Save and except confession of apprehended co-accused, who disclosed the name of the petitioner, nothing has come against the petitioner to show his involvement in the present case. Co-accused used the motorcycle of the petitioner in the alleged offence to which he had hired from him prior to the occurrence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 24.01.2024 passed in Cr. Misc. No. 85100 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Gopalganj (Cyber) P.S. Case no. 13 of 2023,



he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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