

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23451 of 2024

Arising Out of PS. Case No.-30 Year-2023 Thana- Cyber P.S. District- Samastipur

Chandan Kumar @ Chandan Mahto son of Ram Awatar Mahto R/V-
Dharmpur W.No-6, Ps- rosera Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the State : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2024 Heard Mr. Ajay Kumar, learned counsel for the

petitioner and Mr. Shyameshwar Dayal, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
10.10.2023, in connection with Cyber P.S. Case No. 30 of 2023,
FIR dated 19.09.2023, registered for the offence under Sections
406 and 420 of the Indian Penal Code and Sections 66(C) and
66(D) of the I.T. Act.

3. As per the prosecution case, some unknown
miscreants have withdrawn Rs.20,000/- from bank account of
informant by using Aadhar Card.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that initially the



petitioner has not been named in the F.I.R. but his name transpired in this case only on the basis of the confessional statement of the co-accused person, namely, Raushan Kumar, and except the aforesaid no other cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 10.10.2023.

5. Learned A.P.P. for the State, on the other hand, has opposed the prayer for bail of the petitioner and submits that the petitioner carries one case other than the present one of the similar nature of the offence but fairly submits on the basis of the para-3 of the bail petition that the petitioner in on bail in the pending matter.

6. Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned C.J.M., Samastipur in connection with Cyber P.S. Case No. 30 of 2023 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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