

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16850 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- WARISLIGANJ District- Nawada

1.

Chhotu Kumar @ Chhotu Raj S/O Shambhu Prasad, Resident Of Village-Bermi, P.S. Kadirganj, District- Nawada.
2.

Dharmveer Kumar @ Nitish Kumar S/O Dinesh Prasad Resident Of Village-Bermi, P.S. Kadirganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 22787 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- WARISLIGANJ District- Nawada

Mahesh Kumar S/O Upendra Pandit, R/O Village- Mosma, P.S- Warisaliganj, Distt.- Nawada.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 16850 of 2024)

For the Petitioner/s : Mr.Manmohan Kumar, Advocate
Dr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

(In CRIMINAL MISCELLANEOUS No. 22787 of 2024)

For the Petitioner/s : Mr.Birendra Kumar, Advocate
Mr. Kumud Kishore, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-06-2024

Cr. Misc. No. 16850 of 2024

1. Heard learned counsel appearing on behalf
- of the petitioners and learned APP Mr. Tarun Prasad
- Mandal appearing on behalf of the State.



2. The petitioners seek bail in connection with Warisaliganj P.S. Case No. 632 of 2023 registered for the offence under Sections 419, 420, 467, 468, 471/34 of the Indian Penal Code and Sections 66, 66(B), 66(D) of the I.T. Act.

3. The accused/petitioners are named in the F.I.R. and are in custody since 20.12.2023.

4. The allegation against petitioners is to cheat innocent peoples under the garb of M/s Dhani Finance, after asking their bank details by creating forged Social Media Id.

5. Learned counsel appearing on behalf of the petitioners submitted that on the basis of information as received from unknown sources, the police conducted raid and while conducting so apprehended accused petitioners alongwith other co-accused persons. It is submitted that the implication arises out of suspicion only as petitioners started to run away on arrival of police. It is further submitted that the alleged mobile



which was seized by police from petitioners is owned by petitioners himself, where nothing incriminating appears/surfaced during the course of investigation which may connect petitioners with alleged cyber fraud. While concluding the argument, it is submitted that petitioners are men of clean antecedents, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above as the implication of petitioners appears on the basis of self confession, where nothing incriminating *prima facie* recovered, which may suggest involvement of petitioners in alleged cyber fraud, accordingly, petitioners above named, are directed to be released on bail in connection with Warisaliganj P.S. Case No. 632 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

Cr. Misc. No. 22787 of 2024

1. Heard learned counsel appearing on behalf of the petitioner and learned APP Mr. Anil Kumar Singh No. 1 appearing on behalf of the State.

2. The petitioner seeks bail in connection with Warisaliganj P.S. Case No. 632 of 2023 registered for the offence under Sections 419, 420, 467, 468, 471/34 of the Indian Penal Code and Sections 66, 66(B), 66(D) of the I.T. Act.

3. The accused/petitioner is named in the F.I.R. and is in custody since 16.12.2023.

4. The allegation against petitioner is to cheat innocent peoples under the garb of M/s Dhani Finance, after asking their bank details by creating forged Social Media Id.



5. Learned counsel appearing on behalf of the petitioner submitted that on the basis of information as received from unknown sources, the police conducted raid and while conducting so apprehended accused petitioner alongwith other co-accused persons. It is submitted that the implication arises out of suspicion only as petitioner started to run away on arrival of police. It is further submitted that the alleged mobile which was seized by police from petitioner is owned by petitioner himself, where nothing incriminating appears/surfaced during the course of investigation which may connect petitioner with alleged cyber fraud. While concluding the argument, it is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer of bail.

7. Considering the facts and circumstances as



mentioned above as the implication of petitioner appears on the basis of self confession, where nothing incriminating *prima facie* recovered, which may suggest involvement of petitioner in alleged cyber fraud, accordingly, petitioner above named, is directed to be released on bail in connection with Warisaliganj P.S. Case No. 632 of 2023 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, Nawada/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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