

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25301 of 2024

Arising Out of PS. Case No.-61 Year-2023 Thana- Cyber P.S. District- Nawada

Kundan Kumar Son Of Late Ashok Garain Resident Of Village- Paingari Ps-
Warisaliganj, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Cyber P.S. Case No. 61 of 2023 instituted under Sections 414, 419, 420, 467, 468, 471 and 120(B) of the Indian Penal Code and under Sections 66, 66(B), 66 (C) and 66 (D) of I.T. Act.

3. As per the prosecution case, the Police officials in course of raid against cyber offender of Chakbai and Balwapar village got information that at the bank of South Bandh of Paingree village, innocent persons are cheated through Mobile in the name of providing Loan. On this information police reached at Paingree village. After seeing the police party, 20-25 persons started fleeing, out of which 9 persons arrested and



from their possession 134 page printed data, 11 copy of calculation, 12 piece pen, 5 Mobile, 9 SIM cards in packed condition and Apache motorcycle were recovered. Apprehended co-accused disclosed the name of petitioner and others who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to dirty village politics. He also submits that similarly situated co-accused, namely, Chhotu Kumar @ Anand Mohan has already been granted anticipatory bail by this Court vide order dated 01.03.2024 passed in Cr. Misc. No. 10147 of 2024 and other similarly situated co-accused, namely, Dablu Kumar @ Shashikant Kumar has already been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 12.03.2024 passed in Cr. Misc. No. 11240 of 2024. He further submits that the petitioner has one criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing



bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned C.J.M., Nawada in connection with Cyber P.S. Case No.61 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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