

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25673 of 2024

Arising Out of PS. Case No.-59 Year-2023 Thana- Cyber P.S. District- Purnia

Ashish Kumar Son Of Ashok Choudhary Resident Of Village- Tikapatti, Ps-
Tikapatti, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Cyber P.S. Case No. 59 of 2023 dated 29.12.2023 registered for the offences punishable u/ss 419, 420, 467, 468, 471/34 of the Indian Penal Code and u/s 66(C), 66(D) of the I.T. Act.

3. The prosecution case, in short, is that the informant runs a Coaching Center and maintains his livelihood on the earning of the said Centre. The petitioner Ashish Kumar influenced the informant to open a current account under new provision of GST and took documents, SIM Card and Email I.D., upon asking the petitioner to return the documents, the petitioner made excuses. Meanwhile, three officials visited asked how did the informant earned such large amount from a



coaching center. Upon enquiry, bank person mentioned the amount as Rs. 95 crores. The informant tried to contact the petitioner but his phone was switched off. The informant with the help of advocate obtained details from ICICI bank, that total Rs. 4,75,08,876.90/- was deposited and withdrawn.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to ulterior motive. There is general and omnibus allegation against the petitioner and all the amount which has been deposited and withdrawn has not done by the petitioner and he has no knowledge about the same. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that from perusal of the record and the case diary, it appears that petitioner is named in the FIR with direct allegation of cheating with valuable document i.e. bank account of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as submissions made by the parties, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand)



with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnia in connection with Cyber P.S. Case No. 59 of 2023, with the condition-:

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

annpurna/-

U		T	
---	--	---	--

