

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35489 of 2024

Arising Out of PS. Case No.-40 Year-2023 Thana- KASBA District- Purnia

Md. Nafish @ Nafeesh @ Nafis S/O Md. Yasin R/O Village- Dubaili, P.S-
Dagarua, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Kasba
P.S. Case No. 40 of 2023 dated 28.01.2023, instituted for the
offence punishable under Sections 417, 419, 420, 465, 467, 468,
471, 472, 473, 474, 120(B) of the Indian Penal Code.

3. The prosecution case, in short, is that the accused
persons are alleged to have assembled near old Kabir Ashram
for making preparation to commit cyber crime. On search, five
finger prints of different persons, Aadhar number of different
persons on a plain paper, one mobile phone, ATM cards, PAN
card, Driving licence were recovered from the possession of
other accused persons. Allegation against the petitioner is that
he was also involved in committing aforesaid crime along with



the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the name of the petitioner was disclosed in this case only on the basis of confessional statement of Md. Anzar Alam, who was apprehended at the spot and granted bail vide order date 06.09.2023 passed by this Court in Criminal Miscellaneous No. 42773 of 2023. Neither the petitioner has been arrested at the spot nor anything has been recovered from the possession of the petitioner. Similarly situated co-accused, namely Md. Saddam @ Md. Saddam Hussain has also been granted bail by this Court vide order dated 06.09.2023 in Criminal Miscellaneous No. 37954 of 2023. Lastly, it has been submitted that the petitioner is in custody since 12.01.2024 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned Chief Judicial Magistrate,
Purnea, in Kasba P.S. Case No. 40 of 2023.

(Khatim Reza, J)

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