

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33108 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- Cyber P.S. District- Purnia

Md Ashgar @ Asgar Son of Late Md. Munna @ Mujjamil Resident of
Village- Birniya Hat, Sandeep, P.S- Bhawanipur , Dist- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

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

2. The petitioner seeks bail in Cyber (Purnea) P.S.
case No. 49 of 2023 instituted for the offences under
Sections 419, 420, 379/34 of the Indian Penal Code and
Sections 66(c), 66(d) of I.T. Act, 2000.

3. Prosecution allegation, in short, is that the
petitioner along with co-accused persons were indulged in
cyber fraud pertaining to opening of bank account. Several
Aadhar Cards, mobile phones and other documents were
recovered from their possession.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. No incriminating material has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired on the basis of confessional statement of co-accused. The recovery of Voter I.D. belongs to the petitioner. Charge-sheet has been submitted in this case. The petitioner is in custody since 17.12.2023 and has no criminal antecedent. Co-accused have been granted bail by this Bench vide Annexure-2 to this application.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner, the period of custody undergone by the petitioner and the claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Cyber
(Purnea) P.S. case No. 49 of 2023.

(Rudra Prakash Mishra, J)

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