

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33181 of 2024

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

Kanhaiya @ Kanhaiya Kumar @ Suman Kumar, S/O - Late Chandramauli Singh, R/O - Vill - Dola, P.S. Pakribarawan, District Nawada Presently Residing At Mohalla Pakribarawan P.S Pakaribarawan, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan Kumar, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and Ms. Renu Kumari learned APP for the State.

2. The petitioner seeks bail in connection with Cyber P.S. Case No. 59 of 2023 instituted for the offences under Section 509 of the Indian Penal Code and Sections 67/67(A) of the I.T. Act.

3. The prosecution allegation, in short, is that the petitioner has made fake I.D. in the name of informant and uploaded her false photo and video on it.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner and informant were working in Ma Sharda Orchestra Musical Group and due to professional dispute petitioner has falsely



been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. No incriminating article has been recovered from the possession of petitioner. Charge-sheet has been submitted in this case. The petitioner is in judicial custody since 18.01.2024 and has got no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the Court below/concern Court in connection with Cyber P.S. Case No. 59 of 2023, subject to the following conditions:-

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every dated fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.



(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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