

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32533 of 2024

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

Abhishek Kumar S/o- Dukhan Sharma Village- Singhiyan Sundar PS-
Bhawanipur Distt-Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Cyber
P.S. Case No. 49 of 2023 instituted for the offence under
Sections 419, 420, 379/34 of the Indian Penal Code and
Sections 66(c), 66(D) of the I.T. Act.

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



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17-11-2023. Petitioner is stated to be a man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the possession of the petitioner. So far as recovery of ATM Card and Pan Card is concern, it belongs to the petitioner. It is lastly submitted that there is no compliance of Section 100 of the Cr.P.C. Other co-accused has been granted bail by this Court vide orders dated 13-03-2024 & 18-03-2024, passed in Cr. Misc. No. 16906 of 2024 & Cr. Misc. No. 16454 of 2024.

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

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

8. 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 P.S.



Case No. 49 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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