

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39169 of 2024

Arising Out of PS. Case No.-8 Year-2023 Thana- Cyber P.S. District- Nawada

Munna Kumar S/o Bhola Prasad Resident of Village- Bhanail Lodipur, P.S.-
Nemdarganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2024 Heard Mr. Man Mohan Kumar, learned counsel for
the petitioner and Mr. Ajay Kumar Jha, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
22.11.2023 in connection with Nawada Cyber P.S. Case No. 08
of 2023, F.I.R. dated 23.06.2023 for the offences punishable
under Sections 379 and 420 of the Indian Penal Code and
Section 66(C) of the Information Technology Act and later on
Sections 419, 467, 468, 471 and 120(B) of the Indian Penal
Code were added.

3. According to prosecution case, the informant has
lodged the F.I.R against the unknown regarding the fraud of Rs.
40,000/- which was withdrawn from her bank account on four
different occasions.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused persons, namely, Suraj Kumar and Ritesh Kumar and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 22.11.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Nawada Cyber P.S. Case No. 08 of 2023, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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