

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37003 of 2024

Arising Out of PS. Case No.-22 Year-2023 Thana- Cyber P.S. District- Saharsa

Chandan Kumar @ Dina Son of Sunil Raut Resident of Village - Galbigha,
P.S.- Sahpur O.P. Kasichak, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 37115 of 2024

Arising Out of PS. Case No.-22 Year-2023 Thana- Cyber P.S. District- Saharsa

Aryan Kumar Son of Dangal Prasad @Dangal Ram R/O Village-
Kishunpur,P.S.- Barh, District-Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 37003 of 2024)
For the Petitioner/s : Mr.Mili Kumari
For the Informant : Mr. Ashish Kumar Sinha
For the Opposite Party/s : Mr.Rajiv Nayan
(In CRIMINAL MISCELLANEOUS No. 37115 of 2024)
For the Petitioner/s : Mr.Mili Kumari
For the Informant : Mr. Ashish Kumar Sinha
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 01-10-2024 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners have preferred this application for
grant of regular bail in connection with Saharsa Cyber P.S. Case
No. 22 of 2023 dated 10.10.2023 registered for the offence/s



punishable u/ss 419 and 420 of the Indian Penal Code and Section 66D of I.T. Act.

3. As per the prosecution case, a fake Shop Franchisee company, namely, support@mongnisdealershiponline.com cheated Rs. 3,66,500/- and made it transferred in its account, bearing A/c No- 15820100147259, Account Name- Monginis Foods Pvt. Ltd. IFSC- FDRL0001176, Bank Name- Federal Bank, Branch- Andheri West, from the informant in the name of giving shop franchisee.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the FIR. The name of the petitioners has sprung up during the course of the investigation. The charge-sheet has already been submitted against the petitioners. The petitioners have no concern with said account detail. It is further submitted that the mobile no, 8436221019 from which the informant was allegedly contacted, differs from the mobile no i.e. 8436427019 mentioned in the para 15 and 21 of the case diary. The petitioner, namely, Chandan Kumar @ Dina has one criminal antecedent and the petitioner Aryan Kumar has clean antecedent as stated in para 3 of the bail petition. The petitioner Chandan Kumar @ Dina is in



custody since 03.01.2024 and the petitioner, Aryan Kumar is in custody since 21.02.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Saharsa Cyber P.S. Case No. 22 of 2023, with the following condition/s:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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