

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39116 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- Cyber P.S. District- Sitamarhi

Md. Jakir @ Md. Zakir, Son of Hakim Ndaph @ Hakim Nadaf, R/O Village-
Gopnathpur, P.O.- Rampur, Bakhari, P.S.- Dumra, Dist- Sitamadhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amit Shrivastava and Mr. Girish Pandey,
Advocates
For the Opposite Party : Mr. Chandra Sen Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 10-07-2024 This matter has been listed under the heading ‘For
Orders (on office notes)’.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks bail in connection with Cyber
P.S. Case No. 33 of 2024 dated 31.03.2024 registered for the
offences punishable under Sections 255, 406, 420, 467, 468,
471, 120B of the I.P.C. and Sections 66C and 66D of the I.T.
Act.

4. As per prosecution case, the petitioner and the co-
accused persons are alleged to have committed forgery in
withdrawing money from the bank account of innocent people
by taking their thumb impression.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner is not the owner of *Prabhash Computer* from which, one *Laptop* and one software machine for tampering of *Aadhar* Card has been recovered and he never runs the shop rather he had gone there to purchase some article as customer and in that course the raid was conducted and he was taken into custody before the owner of the shop due to misunderstanding. No incriminating article has been recovered from the possession of the petitioner. There is no compliance of Section 100(4) of the Cr.P.C. The petitioner has no concern with the alleged offence. The name of the petitioner has come in the present case on the basis of the confessional statement of the co-accused Ramesh Kumar which has got no evidentiary value in the eye of law. It is further submitted that the co-accused Ravi Kumar has been granted bail by a Bench of this Court vide Cr. Misc. No. 44173 of 2024 under order dated 09.07.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 31.03.2024.

6. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.



7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi in connection with Cyber P.S. Case No. 33 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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