

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42478 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- Cyber P.S. District- Samastipur

Raushan Kumar @ David Shashi Kant Kumar @ Shashi Kant Sharma R/O
Village- Taregana Gola, Kumhar Toli, P.S.- Masaudhi, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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

ORAL ORDER

2 24-06-2024 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. 20 of 2023 instituted for the offence under
Sections 420, 406 of the Indian Penal Code and Sections 66(D)
of the I.T. Act.

3. Prosecution allegation, in short, is that a fraud has
been committed with the informant in the name of CSP and Rs.
1,53,000/- has been taken from him and further Rs. 36,000/- has
been demanded from him.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-03-2024. Petitioner
bears three criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that the only allegation levelled against the petitioner is that Aadhaar Card of the petitioner was used for opening the account. Nothing has been recovered from the possession of the petitioner. It is next submitted that Charge sheet has already been submitted in this case. Other co-accused has been granted bail by this Court vide order dated 27-02-2024, passed in Cr. Misc. No. 10863 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, charge sheet being submitted and no direct allegation against the petitioner, 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. 20 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 date 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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