

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46943 of 2024

Arising Out of PS. Case No.-26 Year-2023 Thana- Cyber P.S. District- Nalanda

NITISH KUMAR SON OF AJAY SINGH @ AJAY KUMAR RESIDENT OF
VILLAGE - LAKHMAHNO, P.S. - NEMDARGANJ, DISTRICT -
NAWADAH

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-08-2024 Heard learned counsel for the parties.

2. The petitioner seeks bail in a case registered for the offence under Sections 379, 420, 120 (B) and 34 of the Indian Penal Code and Section 66 (C) of the I.T. Act.

3 . As per the prosecution case , on the alleged date and time of occurrence , when informant went to Canara Bank Mohanpur ATM to withdraw money , in the meantime , some unknown miscreants came to the informant and exchanged ATM Card and fraudulently withdrawn Rs. 64,000/- from A/c No. 69881500000325 .

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R., and his name transpired during course of investigation on the basis of confessional



statement of other co-accused persons who were apprehended on the spot. Nothing has been recovered from the possession of this petitioner. Chargesheet has already been submitted. He is in custody since 27.02.2024 .

5 . Learned A.P.P. for the State has opposed the bail petition .

6. Considering the fact that petitioner is not named in the F.I.R., period of custody and other circumstances of case , the bail petition of petitioner is allowed. Let the above named petitioner 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 learned CJM Nalanda at Bihar Sharif in Nalanda Cyber S Case No. 26 of 2023 .

(Prabhat Kumar Singh, J)

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