

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43472 of 2024

Arising Out of PS. Case No.-19 Year-2023 Thana- Cyber P.S. District- Begusarai

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Manish Raj Rambalak Rajak @ Rambalak Rai VILLAGE- CHAKDALAUT,
WARD NO. 12, P.S.- BHAKTIYARPUR, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhusan Poddar

For the Opposite Party/s : Mr.Rajendra Singh

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

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Begusarai Cyber P.S. Case No. 19 of 2023 dated 28.08.2023 registered for the offence/s punishable u/ss 379, 420 read with section 34 of the Indian Penal Code and 66 of I.T. Act.

3. As per the prosecution case, on 20.08.2023 when the informant was in the ATM situated at Begusari, in the meantime, an unknown miscreant entered the said ATM room and suddenly the ATM Card of the informant shipped from his hand and the said unknown person took his ATM card fraudulently. Thereafter, the informant came to know that Rs.



1,50,000/- was withdrawn from his account.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of seven days in lodging the FIR. The name of the petitioner has sprung up during the course of investigation. The petitioner is not named in the FIR. It is further submitted that no any transaction is possible without confirming ATM pin. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.11.2023.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, 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 learned Court concerned, Begusarai in connection with Begusarai Cyber P.S. Case No. 19 of 2023, with a condition/s:-

(i). The petitioner is 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 bond of the petitioner is liable to cancelled.

(ii) The court below shall verify the criminal antecedent of the petitioner and at any stage, if it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds 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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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