

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46390 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- Cyber P.S. District- Sheikhpura

Raja Kumar Son of Upendra Prasad @ Upendra Prasad Yadav Resident Of
Village - Rajauli, P.S. - Rajauli, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

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

ORAL ORDER

3 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sheikhpura (Cyber) P.S. Case No. 10 of 2024 instituted for the
offences under Sections 419, 420 of the Indian Penal Code and
Section 66(C), 66(D) of the I.T. Act, 2008.

3. As per prosecution case, the accusation against the
co-accused persons including the present petitioner is of being
involved in the alleged cyber crime.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. and his name has



surfaced in this case on the basis of the confession of the co-accused Pinku Kumar. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner or from his house. The co-accused persons were identified on the basis of C.C.T.V. footage but, the petitioner was not seen in the footage. The petitioner has no concern with the alleged illegal activities of the co-accused persons. Except confession of the co-accused, there is not an iota of evidence in the entire record of the case. He again submits that the date of alleged occurrence was 10.03.2024 but, the F.I.R. was lodged on 13.3.2024 without explaining the valid cause for such delay. The petitioner has no criminal antecedent and is languishing in judicial custody since 08.04.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Rajeev Kumar has been granted bail by this Court vide order dated 03.07.2024 passed in Cr. Misc. No. 45986 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner



and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Sheikhpura (Cyber) P.S. Case No. 10 of 2024.

(Rudra Prakash Mishra, J)

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