

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46949 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- GRIYAK District- Nalanda

Ram Pravesh Kumar S/o Bipin Singh R/o vill - Saidi, P.S. - Katrisarai, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Advocate
	:	Mr. Pankaj Kumar, Advocate
For the State	:	Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 11-11-2024 Heard Mr. Ramakant Sharma, learned Senior
Counsel for the petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Giriyak (Katrisarai) P.S. Case No. 128 of 2024 for the offences punishable under Sections 420, 465, 468, 471 and 34 of the Indian Penal Code and section 66 (C) of the I.T. Act, lodged on 14.04.2024 by the informant, Sunil Kumar Singh.

3. As per the prosecution story, the informant alleged that he got a secret information that a person on a motorcycle having forged SIM Cards engaged in cyber crime is moving, intercepted, and from his possession number of SIM Cards, Debit Cards recovered/seized. As no paper was provided, was taken into custody, which followed the F.I.R.



4. It is the case of the petitioner presented by learned Senior Counsel is that he runs a cyber cafe and in which transactions are being done on the basis of Aadhar Card/Debit Card. There is no allegation that any of the Debit Card recovered/seized belongs to any other person and for which he has already remained in custody since 14.04.2024 (paragraph no.10 of the petition). The last submission is that the petitioner do not have criminal antecedent.

5. Learned APP for the State opposes the prayer submitting that number of Debit Card/Credit Card recovered/seized from him.

6. Considering the submissions put forward by the parties as also the fact that he has remained in custody since 14.04.2024, F.I.R. lodged, he will be facing the trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, in connection with Giriyak (Katrisarai) P.S. Case No. 128 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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