

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51651 of 2024**

Arising Out of PS. Case No.-32 Year-2024 Thana- Cyber P.S. District- Muzaffarpur

Vidya Kumar @ Vidha Kumar Son of Rajendra Sahani Resident of Vill Jaukatiya, Bada Malhi Tola, Ward No.- 12, P.S.- Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sujeet Kumar, Adv.  
For the Opposite Party/s : Mr.Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      27-09-2024                      Heard Learned Counsel for the petitioner and  
Learned APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Cyber P.S. Case No.32 of 2024 under Sections 170, 419 and 420 of the Indian Penal Code read with section 66(C) and 66(D) of the I.T. Act.

3. As per the prosecution, the FIR has been lodged against unknown accused persons against whom there is allegation that they have cheated the informant by making demand of money and cyber fraud has been committed upon the informant.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that the only difficulty against the petitioner is that he is running Customer Service Point (CSP) and he is busy in running CSP Centre and the wrong doers have done the alleged crime in which his name has unnecessarily come in this case.

5. Learned Counsel further submits that it has been specifically alleged in the F.I.R. that the call has been received by the informant from three different mobile numbers whose name has been inserted in the F.I.R. He further submits that it is his specific case that he is not owner of those mobile numbers which has been recovered in this case.

6. Learned Counsel also submits that antecedent of the petitioner is clean. He also submits that the other co-accused has been granted anticipatory bail by this Court vide order dated 21.09.2024 passed in Cr. Misc. No. 48294/2024 on subject to deposit of amount before trial court which was subject to trial of the present case.

7. Learned APP for the State opposes the prayer for bail.

8. It transpires to this Court that the petitioner is running CSP center, and therefore, the petitioner has the higher responsibility under the Information Technology Act. As such,



he is directed to deposit half of the fine amount *i.e.*, 1,50,000/- (One lakh Fifty Thousand) mentioned under the Information Technology Act before the trial court which shall be subject to result of the trial of the present case.

9. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-XI, Muzaffarpur in connection with Cyber P.S. Case No.32 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

10. It is made clear that the said amount shall be deposited prior to his surrender before the trial court.

**(Dr. Anshuman, J.)**

Prakashmani/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

