

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48608 of 2024

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

Rahul Kumar Son Of Niwas Singh R/O- Village- Bhadaur, P.S.- Nardiganj,
Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 24-07-2024 Heard Mr. Bipin Kumar, learned counsel for the
petitioner and Mrs. Renu Kumari, learned APP for the State.

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

3. The prosecution case, in short, is that, two
unknown persons fraudulently withdrew money from the
account of the informant using ATM Card.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner further submitted that the petitioner is not named in the F.I.R. Name of the petitioner has surfaced in this case during investigation. The date of occurrence is of 10th of March, 2024 but, the F.I.R. has been registered on 13th of March, 2024 and, there is no valid explanation for such delay. There is no direct or specific allegation of any overt act against the petitioner, rather the same is general and omnibus in nature. The petitioner is in custody since 08.04.2024 and has got three criminal antecedents. Learned counsel for the petitioner has also submitted that similarly situated co-accused have been granted bail by this Court vide order dated 03.07.2024 passed in Cr. Misc. No. 45986 of 2024 and order dated 19.07.2024 passed in Cr. Misc. No. 46308 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees 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, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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