

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60250 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- MARANCHI District- Patna

Akash Kumar Chandwani S/O - Sunil Kumar Chandwani R/O 2/191, 2nd Floor Rohini, Sector 17, P.S. - Sector -16 Rohini

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s
with
CRIMINAL MISCELLANEOUS No. 56250 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- MARANCHI District- Patna

Kapil Tyagi @ Kapil Kumar Tyagi S/O Om Kailash Tyagi R/O Village-Kachrai, Ps. Nanota, Dist. Saharanpur (u.p.)

... .. Petitioner/s
Versus
The State Of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 60250 of 2023)
For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Binod Kumar
(In CRIMINAL MISCELLANEOUS No. 56250 of 2023)
For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 24-01-2024 Heard learned counsel for the petitioners,

learned counsel for the informant and learned APP for

the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the



offences punishable under Sections 406, 419, 420 of the Indian Penal Code and subsequently added Section 66(c) and 66(D) of the Information Technology Act.

Prosecution case in nutshell is that informant got a call on his mobile and persons posing themselves as employees of Max Life, said that three years lock period of his three policies is over and if he withdraw the amount he will get Rs. 14,27,059 and for this he has to pay 10% of the entire amount as security money, that will be given back to him by adding in his account. It is further alleged that the informant received multiple calls and asked to make payment for different purposes regarding credit of amount in his bank account and in total he paid Rs. 27,89,817. In this way petitioners along with other co-accused persons have cheated the informant.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been



implicated in the present case. Moreover, the petitioners are languishing in judicial custody since 01.05.2023.

A supplementary affidavit has been filed by the petitioner in which it is mentioned that both parties have mutually agreed and the petitioner has stated that when he will be released, he will arrange the money and pay to the informant. It is further submitted that out of the court, the matter has been compromised between the parties. Out of the entire amount, informant has received Rs. 7,00,000/-.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Maranchi P.S. Case No. 48 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate



1st Class, Barh, Patna.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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