

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61991 of 2024

Arising Out of PS. Case No.-44 Year-2023 Thana- Cyber P.S. District- Gaya

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Himanshu Kumar Tiwari Son of Manoj Tiwari @ Manoj Kumar Tiwari
Resident of village - Dumari Buzurg, P.S.- Nayagaon, District - Saran at
Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Sharma, Advocate
For the State	:	Ms. Gulnar Begum, A.P.P.
For the Informant	:	Mr. Chhotelal Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2024 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 379, 419, 420 of the
Indian Penal Code and Sections 66(c) and 66(D) of the
Information Technology Act.

3. According to F.I.R., allegation against the petitioner
is that he cheated informant through cybercrime to the tune of
Rs. 3,310/-.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that as soon as petitioner came to know about the
incident, he immediately transferred the entire alleged amount



in the bank account of informant and in support he has annexed copy of the transaction receipt *vide* Annexure-3 to the instant application. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Gaya Cyber P. S. Case No. 44 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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