

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64258 of 2024

Arising Out of PS. Case No.-11 Year-2023 Thana- Cyber P.S. District- Aurangabad

Rakesh Kumar @ Bablu Son of Ram Kumar Jha Resident of Village - Bhola Tola, English Ward No.- 2, P.S. and Dist.- Lakhisarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailesh Anand, Advocate
For the State	:	Mr. Ram Sumiran Rai, APP
For the Informant	:	Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 18-11-2024 Heard learned counsel for the petitioner and learned APP for the State as also learned counsel for the Informant. Perused the case diary.

2. The petitioner seeks bail in connection with Aurangabad Cyber P.S. Case No. 11 of 2023 instituted for the offence under Sections 420, 467, 468 & 471 of the Indian Penal Code and Section 66(D) of the IT Act.

3. As per the prosecution case, Informant has alleged that one Dheeraj has cheated him through cyber chatting to the tune of Rs. 5,60,000/- on the pretext of installing computers at his institute and there is recovery of one laptop, I-phone, mobile phone, ATM card etc.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 28-05-2024. Petitioner is a man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that neither a single transaction has took place from the petitioner's account to the informant's account, nor there is any telephonic conversation between them. It is next submitted that petitioner is neither the owner of said seized mobile and nor he introduced himself as HCL Sales Manager. It is lastly submitted that police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph No. 67 of the case diary, which is confessional statement of the petitioner, it is submitted that he has confessed his complicity in the alleged crime. It is next submitted that in paragraph No. 65 of the case diary petitioner has stated that the mobile number which was used for fraud was used by him.

7. Learned counsel for the Informant fervently opposed the prayer for grant of bail to the petitioner and submits that petitioner was traced when he subsequently attempted to commit fraud after registration of the FIR.



8. Considering the aforesaid facts and circumstances of the case and taking into account the materials available in the case diary, this Court is not inclined to grant bail to the petitioner. Prayer is accordingly *rejected*.

9. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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