

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75038 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- Cyber P.S. District- Saharsa

Md. Nausad Son of Md. Nasir Mohalla- Dumrail, Kadir Chouk, Ward No. 33/26, P.S.- Saharsa Sadar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 29-11-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Cyber (Saharsa) P.S. Case No. 36 of 2024 dated 21.05.2024 registered for the offences punishable under Sections 419, 420, 465, 467, 468, 471, 472 read with Section 34 of the I.P.C. and Sections 66 and 66D of the I.T. Act.

3. As per the prosecution case, on 21.05.2024 at 10.30 P.M., on receiving secret information that some people were making fake death certificate through electronic equipment and illegally withdrawing money under Labour Department Scheme in the house of the petitioner Md. Naushad, the informant alongwith other officials went to the house of Md. Naushad and



apprehended him and Punit Kumar while other miscreants Sanjit Kumar, Brajesh Kumar, Rakesh Thakur, Niraj Kumar, Sonu Kumar, Santosh Kumar and Randhir Kumar fled away from there. It is further alleged that a large number of documents of other persons were found in the Almirah of the petitioner Md. Naushad and a large number of documents alongwith mobile and seal were recovered from the possession of Punit Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. No incriminating article has been recovered from his possession. The petitioner did not withdraw the money from the Labour Department Scheme or on behalf of the beneficiaries and no private person complained either before the police or before the Labour Department that his/her money was withdrawn by him. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 22.05.2024. Similarly situated co-accused has already been granted regular bail by this court vide order dated 26.10.2024 passed in Cr. Misc No. 60388 of 2024.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Saharsa in connection with Cyber (Saharsa) P.S. Case No. 36 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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