

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72162 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- Cyber P.S. District- Katihar

Md. Alam S/O Khabiruddin @ Md. Khabiruddin R/O Namakgram, Sankola,
P.S- Abadpur, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 72212 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- Cyber P.S. District- Katihar

1. Md. Munna @ Md. Munna Alam S/O Md. Ilyas @ Ilyas R/O Budha Kamat,
P.S- Abadpur, Distt.- Katihar.
2. Chhotan Ray S/O Raj Kumar Ray R/O Belwa, P.S- Abadpur, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 72162 of 2024)

For the Petitioner/s : Mr. N.K. Agarwal (Sr. Adv)
Mr.Sanjeev Kumar Singh
Ms. Diksha Kumari

For the Opposite Party/s : Mr.Jharkhandi Upadhyay
(In CRIMINAL MISCELLANEOUS No. 72212 of 2024)

For the Petitioner/s : Mr. N.K. Agarwal (Sr. Adv)
Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for grant of bail in
connection with Katihar Cyber P.S. Case No. 58 of 2024



registered under sections 316(2), 319(2), 318(2), 336(3) and 340(2) of B.N.S and Sections 66(c) and 66(d) of I.T. Act.

3. According to the case of prosecution, two persons came at the shop of the informant and asked him that can you arrange cash then informant replied that yes he can arrange Rs. 20,000/- after that one person transferred Rs. 20,000/- on informant UPI id which was duly received in his bank account and in return informant gave the abovesaid amount to them. Thereafter, when the informant went to bank, he came to know that there was hold on that amount. He has suspicion that due to above transfer, his amount has been put on hold.

4. Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case merely on the basis of suspicion. From perusal of the prosecution story, it is clear that informant has handed over Rs. 20,000/- in return of the said UPI transfer made by the petitioners. This allegation does not make out any offence. A statement has been made in para-3 of these petitions that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 04.08.2024.

5. The application for bail is opposed by learned APP



for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Katihar Cyber P.S. Case No. 58 of 2024 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar.

(Ashok Kumar Pandey, J)

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