

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71857 of 2023**

Arising Out of PS. Case No.-86 Year-2022 Thana- GRIYAK District- Nalanda

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Gulshan Kumar son of Ajay Kumar resident of Village- Bhagwanpur PS-  
katrisarai Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Jitendra Kumar, Adv.

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

4      05-04-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The Petitioner apprehends arrest in connection with  
Giriyak (Katrisaray) PS case No. 86 of 2022, dated 26-02-2022,  
instituted under sections 419, 467, 468 & 471 of the IPC and  
Section 66( C) of the I.T. Act.

3. The prosecution case, in short, is that on a tip-off  
about committing cyber crime and cheating innocent persons,  
the police party conducted raid and apprehended co-accused,  
namely, Manoj Kumar @ Mallu and from his possession some  
incriminating articles were recovered.

4. The learned counsel for the petitioner submits the  
petitioner is innocent and he has been falsely implicated in this  
case. It is further submitted that petitioner has been made



accused only on the basis of the confessional statement of apprehended accused, namely, Manoj Kumar @ Mallu, who has been granted regular bail by a Co-ordinate Bench of this Court *vide* order dated 30-11-2022, passed in Criminal Miscellaneous No. 21062 of 2022. It is further submitted that except confessional statement of the co-accused there is nothing against the petitioner. The other similarly situated co-accused persons have been granted anticipatory bail *vide* order dated 04-05-2023, passed in ABP No. 471 of 2023 by the learned Court below itself. Lastly, it is submitted that petitioner is a man of clean antecedent

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below, within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs 10,000 (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-1st Bihar Sharif at Nalanda, in connection with Giriyak (Katrisarai) PS Case No. 86 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure 1973.



7. The application stands allowed.

**(Khatim Reza, J)**

shyambihari/-

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