

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72897 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- Cyber P.S. District- Samastipur

Sahil Singh @ Manish Kumar Late Ramchandra Singh @ Ramchandra Mahto
Resident of Village- Mohammadpur, Birauli, Tola Gadiya, Ward No.14, P.S.-
Pusa, Dist-Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner, the State
and the informant.

2. The petitioner is in judicial custody in connection with Cyber P.S. Case No. 43 of 2023 for the offence punishable under Sections 406, 420, 419 of the Indian Penal Code and 66(c), 66(d) of Information and Technology Act lodged on 16.10.2023 by the informant, Sanjay Kumar Das.

3. As per the prosecution story, the informant alleged that he was dealing with the cloth business when this petitioner and one Budhan Lal came to his shop and offered him that if he pays Rs. 6,00,000/-, will be getting



Rs.60,000/- till his death. Assured of that amount, he paid Rs. 6,80,000/- but thereafter they switched off their mobiles and feeling cheated, the present FIR.

4. Learned counsel for the petitioner submits that admittedly, the allegation is against Budhan Lal and Rajiv Kumar of having lured the informant in investing the amount. So far as this petitioner is concerned, he has also been deceived, he being an employee of Rajiv Kumar and has not even been given remuneration for the work he did. Further, has suffered by being in custody since 17.08.2024 (para-13 of the petition) and do not have criminal antecedent.

5. Learned counsel appearing on behalf of the informant on the other hand submits that he was the Manager and not employee and the financial transaction took place through bank account.

6. Having gone through the FIR, fact remains that Rajiv Kumar and Budhan Lal are the main culprits, Rajiv Kumar had come to this Court in Cr. Misc. No. 10205 of 2024 for grant of anticipatory bail after giving an undertaking that he will be paying Rs.3,40,000/- half of the amount to the informant and was subsequently granted relief



in Cr. Misc. No. 10205 of 2024, the petitioner is an employee (Manager), do not have criminal antecedent and is in custody since 17.08.2024, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M.1st Class, Samastipur, in connection with Cyber P.S. Case No. 43 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

