

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74150 of 2023

Arising Out of PS. Case No.-168 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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BRIJNANDAN PRASAD Son of Saryu Prasad R/o vill - Bahribigha, P.s. -
Kashichak (Shahpur O.P.), Distt. - Nawada. At present Jhawaharnagar, P.S. -
Nawada, Distt. - Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Shekhopur Sarai P.S Case No. 168 of 2023 dated 02.09.2023 registered for the offence punishable u/s 406, 419, 420, 467, 468, 471, 120(B) and 34 of the Indian Penal Code.

3. As per the prosecution case, during patrolling duty, the informant searched a Maruti alto car where he found some cash and mobile phone containing documents of EMIS. It is alleged that the petitioner & the co-accused persons used to commit cyber crime by forming an organized gang through fake



SIM, and the petitioner is active member of this gang.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and falsely been implicated in this case. It is further submitted that the petitioner is a retired government employee and he has been made accused in this case only because of he is the owner of the said vehicle but the said vehicle was not being driven by the petitioner at the time of the alleged occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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 court concerned, Nawada in connection with Shekhopur Sarai P.S Case No. 168 of 2023, subject to conditions as laid down under section 438(2)



of the Code of Criminal Procedure with further condition :-

(I) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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