

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79308 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Rohit Kumar @ Lallu @ Lalu Rai S/O Mithilesh Yadav R/O Village- Datroll,
P.S- Pakribrawan, Distt.-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director Economic offence , Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sheo Kumar Prasad, Adv.
For the State	:	Mr. Binod Kumar, Adv.
For the E.O.U.	:	Mr. V.N.P. Sinha, Sr. Adv.
		Mr. Vijay Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-01-2024 Learned counsel for the petitioner is permitted to

make necessary corrections in date of custody of the

petitioner, during the course of day.

Heard learned counsel for the petitioner, learned

counsel for the E.O.U. and learned APP for the State.

The petitioner has filed the instant application for

grant of regular bail in a case registered for the offences

punishable under Sections 379, 420, 467, 120(B) of the

Indian Penal Code and Section 66, 66(c), 66(D) of the I.T.

Act.

As per prosecution case, the informant, who is the



police inspector of E.O.U. alleged that on the pretext of verification of election card some persons introduced himself or impersonated himself as an Election Officer or B.L.O., a mobile app namely, "Any Desk" is being downloaded and thereafter O.T.P. was being obtained from the persons and after obtaining the said OTP of the said APP the petitioner along with others deceive the persons and withdraw the money from their account. It is further alleged that accused persons also cheated the person on the purchasing of the gold from E-Centre company.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner has no concern either with any mobile number or with E.Mail. It is further submitted that place of occurrence belongs to co-accused Mukesh Kumar. Moreover, the petitioner is languishing in judicial custody since 30.04.2023. Similarly situated co-accused persons, namely, Santosh Kumar and Umesh Das have been granted bail vide



order dated 01.11.2023, passed in Cr. Misc. No. 67850 of 2023 by this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Economic Offence P.S. Case No. 08 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. I, Patna.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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