

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76001 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- Cyber P.S. District- Sheikhpura

Nitish Kumar S/o- Surendra Prasad R/o - Mohsimpur, P.S - Shekhopur Sarai,
District Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Sheikhpura Cyber P.S. Case No. 27 of 2024 instituted for the
offence under Sections 318(2) 318(4), 319(2), 336(2), 336(3)
and 61(2) of the Bharatiya Nyaya Sanhita, 2023, and Sections
66, 66B & 66D of the IT Act.

3. Prosecution case in short is that police on secret
information regarding cyber crime by providing loan, raided the
spot, whereafter co-accused persons including the petitioner was
arrested. It is alleged that four mobile phones have been
recovered from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 31-08-2024. Petitioner is a man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. It is alleged that four mobile phones were recovered from the possession of the petitioner, but the same belongs to his family members. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sheikhpura Cyber P.S. Case No. 27 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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