

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73692 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- Cyber P.S. District- Nalanda

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Digvijay Kumar, aged about 27 years, Male Son of Kusheshwar Paswan,
Resident of Faring Gola, P.S. and District-Kishanganj, At Present-Tenant in
the House of Umesh Prasad Rajeev Nagar, Road No. 09B, Patna-800024,P.S.
Rajeev Nagar District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nalanda Cyber PS Case No. 32 of 2023 instituted for the
offences punishable under Sections 379, 420, 419, 468, 471,
120B/34 of the Indian Penal Code and Section 66, 66(C), 66(D)
of the I.T., Act 2000.

3. As per the prosecution case, petitioner was running
Online Tutorial Classes known as “Bug Fixers Tutorial Classes”
and the accused was also attending the Online and Offline
classes and also created Online Agriculture Website for the
purpose of cheating the people.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has



falsely been implicated in this case. He further submits that the petitioner is a teacher and has no knowledge that the said accused would use the said website for the purpose of cheating the people.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and impugned order of the learned Sessions Judge, Nalanda at Bihar Sharif dated 04.10.2023, it appears that petitioner is not named in the FIR and the name of the petitioner surfaced from the confessional statement of co-accused Dharamveer Kumar and similarly situated other co-accused namely Gautam Kumar @ Sujeet Kumar and others have been granted bail by the learned trial Court in B.P. No. 1388 of 2023 dated 19.12.2023. Petitioner is in custody since 19.08.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Nalanda Cyber PS Case No. 32 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a



period of 15 (fifteen days) from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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