

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76539 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- Cyber P.S. District- Nawada

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Dharmendra Kumar S/O Manoj Singh @ Manoj Kumar R/O Vill. - Apsarh,
P.S. -Warisaliganj, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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

ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Cyber
P.S. Case No. 49 of 2024 instituted for the offence under
Sections 303(2), 318(2), 318(4), 319(2), 336(2), 336(3), 340(2)
& 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 66,
66(B), 66(c) & 66(d) of the I.T. Act.

3. Prosecution case in short is that from two mobile
phones, cash to the tune of Rs. 37,797/-, which belongs to
Pratibimb app of Cyber Police, was fraudulently withdrawn,
thereafter on the basis of tower location police party reached the
spot. Petitioner was arrested on the spot and there was recovery
of one mobile phone and two page of customer data from the



petitioner.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28-07-2024. 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. It is submitted that mobile number, which is allegedly recovered from the possession of the petitioner does not tally with the mobile number disclosed in the FIR, which was used in committing cyber fraud. Nothing incriminating has been recovered from the conscious possession of the petitioner. Charge sheet has been submitted in this case.

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, clean antecedent of the petitioner and charge sheet being submitted, 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 Cyber P.S.



Case No. 49 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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