

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83264 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- Cyber P.S. District- Nawada

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Shashikant Kumar @ Dabloo Kumar S/o- Nawal Kishor Prasad Resident of
Village- Paingri PS- Warsliganj District-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2024

Heard the parties.

2. The petitioner is in custody in connection with Nawada Cyber P.S. Case No. 53 of 2024 for the offence under Sections 303(2), 303(3), 318(2), 318(4), 319(2), 336(2), 340(2) and 61(2) of the B.N.S. and Section 66, 66(B), 66©, 66(D) of the I.T. Act lodged on 26.08.2024 by the informant, Raviranjan Mandol.

3. As per the prosecution story, the informant alleged that on information received of cyber crime being conducted by the accused persons, raided the place. Though some accused managed to escape, others were apprehended and on their disclosure, the house of the petitioner was raided and besides the mobile phones, certain documents recovered/seized. This led to the F.I.R.



4. It is the case of the petitioner that he has not been arrested from the spot, on the confessional statement of others, his house was raided and his own mobile phone and documents were taken by the police. Further, he do not have criminal antecedent, is in custody since 27.08.2024 (para-4 of the petition), chargesheet submitted and if granted bail, he shall be appearing in trial diligently without fail. He shall ensure that he is not implicated in such crime again. Further, without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioner submits that he intends to contribute Rs.10,000/- (Ten Thousand) to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer for bail submitting that he has made confessional statement.

6. Learned counsel for the petitioner submits that under force, the police took his confessional statement though his categorical submission is that all the documents/mobiles belong to him.

7. Considering the aforesaid submissions put forwarded by the parties as also that the petitioner has remained in custody since 27.08.2024, having no criminal antecedent, chargesheet submitted and he will have to face the music, this Court is inclined to extend him the privilege of bail subject to



payment of Rs.10,000/- (Ten Thousand) to the Chief Minister's Relief Fund through Demand Draft and the receipt be submitted to the Trial Court.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada, in connection with Nawada Cyber P.S. Case No. 53 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and the failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of bail bond.



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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