

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85100 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- Cyber P.S. District- Gopalganj

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Ajay Kumar Son Of Dhurandhar Sah R/O Village - Harpur, Safi Tola, P.S.-
Uchakagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Prasad

For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 420, 406, 467 and 468 of the Indian Penal Code.

3. As per the FIR, the petitioner with the assistance of co-accused have indulged in online cheating by using forged documents and ID card of other persons and they have committed online cheating with the C.S.P operators including the informant. Petitioner was caught on spot while co-accused Santosh Paswan managed to flee from there. Co-accused who fled from there, has left his motorcycle along with some other articles at the place of occurrence.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted from para-6 of the supplementary affidavit that Sections 420, 406, 467 and 468 of the IPC will not be applicable against the petitioners as there is no any essential ingredient of above mentioned sections as alleged in the FIR. So far as the alleged motorcycle is concerned, it does not belong to the petitioner and he has no concern with the said motorcycle in any manner. From para-8 of the supplementary affidavit, it is submitted that petitioner was not involved in the said occurrence and the allegation of committing fraud is against co-accused with whom petitioner has no concern. No any loss has been occurred to the informant or any other persons. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.08.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be



released on bail in connection with Gopalganj Cyber P.S. Case No. 13 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Court, Gopalganj.

(Sunil Kumar Panwar, J)

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