

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86633 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- Shahpur P.S. District- Nawada

Saurav Kumar S/o Manjeet Ravidas Resident of village - Pahariya, PS-Shekhopur Sarai, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Shahpur P.S. Case No. 65 of 2024 instituted for the offences under Sections 319(2), 318(4), 338, 336(3), 340(2), 317(5), 61(B) of the Bharatiya Nyaya Sanhita, 2023 and 66(B), 66(C), 66(D) of the Information Technology Act.

3. Prosecution case, in short, is that, police on the basis of secret information that some miscreants are indulged in cyber crime, conducted raided. Seeing the police party, all the persons tried to flee away but seven persons including this petitioner were apprehended whereas rest of them managed to flee away. It is further alleged that the apprehended persons



disclosed that they used to cheat innocent people on the pretext of cancellation of delivery which they have booked through Flipkart. On search, two mobile phones and five pages of customer data have been recovered from this petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further contended that petitioner is merely a passerby and has no concern with the alleged recovery and has committed no such offence. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.08.2024 and has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 16.12.2024 passed in Cr. Misc. No. 85884 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody



undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Shahpur P.S. Case No. 65 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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