

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86160 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- Cyber P.S. District- Araria

SABA NAZ W/o Md. Khaza Hussain R/o vill - Koshakipur, ward no. 01,
Mohanpur, P.s. and Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The petitioner apprehends her arrest in Araria Cyber P.S. Case No. 07 of 2024 registered for the offences punishable under Sections 418 and 420 of the Indian Penal Code and Section 66 (c) and 66 (D) of the I.T. Act, 2000, pending in the Court of learned C.J.M., Araria.

3. The allegation against the petitioner is that he along with other co-accused is involved in committing cyber fraud.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. She has been falsely implicated in this case due to ulterior motive in collusion with the police. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



It is further submitted that there is delay of two months and ten days in lodging the F.I.R. without assigning any cogent reason for the said delay which creates serious doubt about the prosecution case. Petitioner has one criminal antecedent of similar nature of the offence.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is involved in committing cyber fraud and she also bears a criminal antecedent, which is almost for similar nature of the offence. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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