

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6590 of 2024

Arising Out of PS. Case No.-387 Year-2022 Thana- MAJHAULIA District- West Champaran

Priyesh Kumar S/o Nand Kishore Yadav R/o vill-Jawkatia, P.S- District-West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Adv.
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Majhauriya P.S. Case No. 387 of 2022 dated 29.05.2022 registered for the offences punishable u/ss 399, 400, 401, 402, 403, 411, 413, 414, 419, 420, 467, 468, 471, 472, 379, 120(b) of the Indian Penal Code and u/ss 66 and 66(A) of the Information Technology Act.

3. As per the prosecution case, police, on a secret information, intercepted a Scorpio vehicle bearing registration No. BR-05Q-0077 and also apprehended two persons, namely, Prakash Kumar and Brij Kishore, while two other persons succeeded in fleeing away. On search, several passbooks,



cheque books, ATM cards of different banks, Laptop, Mobile Phone with SIMs and Aadhar Card were recovered from the said vehicle. It is further alleged that three ATM cards of different banks and one Mobile phone were also recovered from the pocket of the co-accused, Brij Kishore Kumar. It is further submitted that the petitioner and the accused persons are involved in cyber crime and ATM fraud.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The name of the petitioner was disclosed by the apprehended person. No incriminating article has been recovered from the possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The co-accused person has already been granted anticipatory bail by this court vide order dated 06.02.2023 passed in Cr. Misc. No. 64953 of 2022. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his



arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 387 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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