

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5370 of 2024

Arising Out of PS. Case No.-29 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

Kamlesh Kumar S/o- Arvind Prasad Resident of Village- Panchi, Panhesa,
P.S.- Shekhopursarai, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roop Kishan,
Mr.Rahul Singh, Advocates
For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection
with Sheikhopursarai PS Case No. 29 of 2021 dated
26-02-2021, instituted under Sections 406, 420, 467, 468, 471
and 120B of the IPC.

3. The prosecution case, in short, is that petitioner
and other accused persons are alleged to have indulged in
Cyber crime and police recovered three mobile phones, three
ATM cards and other incriminating articles from possession of
the co-accused, namely, Swapnil Santosh Prasad.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is submitted that First Information Report (for brevity 'FIR') has been registered against 27 named and several other unknown persons. The petitioner is not named in the FIR rather his name has surfaced after submission of the charge-sheet on the basis of suspicion. It is further submitted that two named accused persons, namely, Kamlesh Kumar and Vijay Kumar @ Vijay Prasad have been privileged with anticipatory bail by a Co-ordinate Bench of this Court vide orders passed in Cr. Misc. Nos. 76580 of 2023 and 73821 of 2023. No incriminating articles has been recovered from possession of the petitioner. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class Sheikhpura, in Sheikhopursarai PS Case No. 29 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



7. The application stands allowed.

(Khatim Reza, J)

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