

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1304 of 2025

Arising Out of PS. Case No.-23 Year-2023 Thana- Cyber P.S. District- Kishanganj

Ahmad Raza, aged about 21 years, male, S/o- Late Kamrez Ahmad, resident of Village- Loharpatti, PS + District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Cyber PS Case No.23 of 2023 dated 05.09.2023, instituted under Sections 468, 420, 379/34 of the Indian Penal Code and Section 66D/66 E of the Information Technology Act.

3. The allegation against the petitioner is that he has committed online financial fraud by manipulating the bank account of several persons.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. Only on the basis of confessional statement of named accused Shams Aagaaz, petitioner has been made accused in this case. It is also submitted that there is no specific allegation against the



petitioner with regard to any fraud. The petitioner has neither taken the passbook and SIM of any person nor used the same for any purpose. It is also submitted that the named accused, Khushal Ahmad @ Kaushal Ahmad, has been granted anticipatory bail by this Court vide order dated 21.09.2024 passed in Cr. Misc. No.45050 of 2024. 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 Chief Judicial Magistrate, Kishanganj, in Cyber PS Case No.23 of 2023, 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)

J. Alam/-

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