

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26218 of 2024

Arising Out of PS. Case No.-10 Year-2023 Thana- Cyber P.S. District- Banka

Atish Burnwal S/O Parhsuram Barnwal R/O Village- Barfeda, P.S- Suiya,
Distt.- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Suraj Kumar,S/O- Late Juthan Das R/O-kalyanpur, P.O.- Dudhari, P.S.-
Banka, District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

10 15-07-2025 Heard learned counsel for the petitioner and learned
APP for the State. No one appears on behalf of the OP.No.2
despite issuance of notice.

2. Petitioner apprehends her arrest in a case registered
for the offences punishable under Section 66 (c), 66 (D) I.T Act.

3. The prosecution case is that the informant had gone
to the C.S.P Center to get KYC of Bihar Gramin Bank, three
months earlier, where a person has taken a finger print and
adhar number and on the basis of the same, an account was open
in *Fino* payment bank and after three days, a total Rs. 22,000/-
was withdrawn which was given to the informant by the
government scheme. The allegation is that the said forged bank



account mobile number being 8188833928 had been used which belonged to co-accused Dinesh Yadav.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has transpired on the basis of confessional statement made by the named accused Dinesh Yadav. It has further been submitted that the petitioner was tenant in the house of Dinesh Yadav with whom there was a tenancy dispute. It is only on account of such reason that his name has been dragged in the present case although he has no concern with the entire process of opening of the account of the informant. The bail order of co-accused Dinesh Yadav dated 05.03.2024 passed in Cr. Misc. No.85735 of 2023 has also been pointed out to show that it had been undertaken by Dinesh Yadav that he would be making the payment of total amount of Rs. 22,000/- in two installments and only upon verification of the same, the provisional bail granted to him was confirmed.

5. Learned APP for the State opposes the anticipatory bail .

6. Considering the facts and circumstances, I am inclined to grant anticipatory bail to the petitioner. Let, in the event of his arrest/ surrender within a period of four weeks from



today, 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 the learned court below where the case is pending/ successor court in Cyber Bank P.S.Case No.10 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

N.K/-

U		T	
---	--	---	--

