

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33902 of 2025

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

Shamsh Aagaz @ Shams Aagaz S/o Md. Sohrab R/o Village- Gariwan
Mohalla Ward No. 17, P.S. and District- Kishanganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ram Prawesh Kumar, Advocate
For the State : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Kishanganj Cyber P.S. Case No.23 of 2023, dated-05.09.2023 registered for the offences punishable under Sections 468, 420, 379 read with Section 34 of the Indian Penal Code and Sections 66D/66E of the I.T. Act.

3. As per allegation, illegal transaction has been done by the accused-petitioner in the bank account of the brother of the Informant.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the Petitioner was not aware of the transaction being done in the account of the brother of the



Informant.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Kishanganj Cyber P.S. Case No.23 of 2023, subject to the conditions as laid down under Section 438 Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after



hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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