**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.72271 of 2024**

Arising Out of PS. Case No.-20 Year-2023 Thana- Cyber P.S. District- Khagaria

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Divya Pandey, aged about 27 years (F), Wife of Shankar Mishra, Resident of village, PO and PS- Chausa, District- Buxar

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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**Appearance :**

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| For the Petitioner | : | Mr. Dharmveer, Advocate |
| For the Informant | : | Mr. Anil Kumar Chaudhary, Advocate |
| For the State | : | Mr. Md. Aslam Ansari, A.P.P. |

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

ORAL ORDER

5 05-03-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Khagaria (Cyber) P.S. Case No. 20 of 2023 dated 14.08.2023 registered for the offences punishable under Sections 419, 420, 379, 467, 468, 471, 120B/34 of the I.P.C. and Section 66D of the I.T. Act.

3. As per the prosecution case, one Jatin Goyal gave a detailed information about 'Alliance Solution Company' (hereinafter referred to as 'ASC') to the informant through phone which is trading in share market and the same is running for about ten years and there are two Head C.E.O. owners, namely, Yashika Bansal and Sher Singh Bakodiya and its

compliance Head is one Abhinav Gupta and its Customer Support Head is one Rajesh Kumar. They further assured to give 25.40% monthly return and also assured monthly payment every month. It is further alleged that the said Jatin Goyal through the said Mobile No. 8878396877, sent forged documents and agreement paper in detail to the informant's WhatsApp Mobile No. 8789832487, E.mail I.D. daroliyamanjeet@gmail.com and who also said that he has been in this for about eight years. Further the link of URL-http:#alliance solutions was sent to his mobile and asked for KYC. Thereafter, he made forged agreement paper of the informant and his wife and provided I.D. As1600 of the informant and As1639 of his wife and also shared account details of 'AS' as 'Alliance Solution, H.D.F.C. Bank Ltd., Current A/C No. 50200068685552-IFSC Code-HDFC0003694, Nehru Nagar Branch, Bhopal'. He further disclosed that its Head Office is at Bangalore, 6/6 Hosur Road, Kudlu Gate, Krishna Reddy Industrial Area, H.S.R. Extension, Bengalaru, Karnataka-560068 and its office is also at Bhopal, 327/8, M.P. Nagar, Zone-2, Near-City Hospital, Bhopal, Madhya Pradesh-460023 which is completely forged. It is further alleged that the informant transferred money in the A/C No. 5020006868552 of the 'AS', total amount of Rs.

53,50,000/- on different dates and different Banks was sent from his bank account and his wife's bank account. Thereafter, as per agreement, amount of monthly payout was sent by 'AS' through his Alliance Solution A/C No. 502000686855 and total amount of Rs. 5,83,480/- was received on different dates in the bank account of the informant and his wife. It is further alleged that the informant used to talk on mobile phones with Jatin Goyal, Azad Tiwari, Bhaskar Kumar, Alliance Solution Customer Support, Rakesh Kumar, Krishna Mohanti. It is further alleged that in the month of January, the informant went to Bhopal and tried to search the office of the 'AS' but it was never found and when he tried to meet him then Krishna refused to meet on the pretext of illness and thereafter the informant again went to Bangalore and tried to search the office of 'AS' but no where it was found since as the said 'AS' was forged and fake. It is further alleged that the informant used to talk through WhatsApp, Chat and Message but always it was said that 'AS' is going on loss, hence, he is not sending the amount of monthly payout. Thus the 'Alliance Solution Company' committed fraud with the informant.

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

this case. It is further submitted that the petitioner is not named in the F.I.R. Her name has surfaced in the present case during the course of investigation. It is further submitted that during the course of investigation, it was found that in the bank account of the petitioner, total Rs. 20,67,000/- in cash was deposited by her husband. The petitioner is a house wife and a Pardanasi lady and she has no knowledge about any cyber crime and share market. She has absolutely no knowledge about the source of amount which is deposited by her husband. The petitioner is a lady. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. She is in custody in this case since 29.02.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further submitted that from perusal of paragraph no. 230 of the case diary, it appears that total Rs. 7,20,000/- was deposited in the bank account of the petitioner. It is further submitted that the bail applications of other co-accused persons have already been rejected by a Bench of this Court.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody and the petitioner being the lady, let the petitioner, above named, is directed to 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 Judicial Magistrate-Ist Class, Khagaria in connection with Khagaria Cyber P.S. Case No. 20 of 2023 with further condition:-

I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which, on two consecutive dates without any reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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