

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74747 of 2024

Arising Out of PS. Case No.-98 Year-2023 Thana- Cyber P.S. District- Darbhanga

Rajeev Kumar S/o Maya Prasad Singh R/o Village- Nawanagar Nigamat, P.S-
Sahebganuj, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the State : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-03-2025 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Mr. Vinod Shanker Modi, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Darbhanga Cyber P.S. Case No. 98 of 2023, F.I.R. dated 09.12.2023 for the offences punishable under Sections 420, 379, 467, 471, 506/34 of the Indian Penal Code and Ssection 66(D) of the I.T. Act.

3. According to prosecution case, the co-accused persons, namely, Nitesh Kumar Jha and Ajay Kumar Ray impersonated themselves as the onwer of WEFALC Company and insisted the informant to invest in their company and assured him that his money will be fourfold in seven months but after the stipulated time when the informant demanded his



maturity amount then they refused to gave his money back and also threatened him for dire consequences.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that it appears from the F.I.R that the informant has deposited the amount in question in the bank account of the co-accused persons, namely, Nitesh Kumar Jha and Ajay Kumar Ray and the petitioner has been made accused in the present case only on the ground that he is the incharge of Muzaffarpur under the WEFALC Company and he has not received any single amount from the petitioner in his bank account.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the informant has deposited amount in the bank account of the co-accused persons, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days



from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, Bihar in connection with Darbhanga Cyber P.S. Case No. 98 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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