

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87121 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- Shahpur P.S. District- Nawada

Niranjan Kumar Son of Girouni Rabidas @ Girani Rabidas Resident of
Village - Darshan Bigha, P.S. - Shahpur, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Satya Prakash, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Shahpur P.S. Case No. 65 of 2024, instituted for the offences
punishable under Sections 319(2), 318(4), 338, 336(3), 340(2),
317(5), 61(B) of the Bharatiya Nyaya Sanhita, 2023, Sections
66, 66(B), 66(c) and 66(D) of the Information Technology Act.

3. The prosecution case, in short, is that, police on the
basis of secret information that some miscreants are indulged in
cyber crime, conducted raid. Seeing the police party, all the
persons tried to flee away but seven persons including this
petitioner were apprehended whereas rest of them managed to
flee away. It is further alleged that the apprehended persons
disclosed that they used to cheat innocent people on the pretext



of cancellation of delivery which they have booked through Flipkart. On search, one laptop, printer, passbook and two mobile phones have been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. It is next submitted that the laptop, printer and passbook belongs to the petitioner and the petitioner has denied the fact of recovery of mobile phone from his possession. The petitioner is in custody since 07.08.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide orders dated 16.12.2024 and 18.12.2024 passed in Cr. Misc. Nos. 85058 of 2024 and 86633 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shahpur P.S. Case No. 65 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(IV) 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.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

