

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87400 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- Cyber P.S. District- Saran

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1. Ramesh Kumar @ Ramesh Yadav S/O Birendra Yadav @ Birendra Gope
R/O Village- Bargama (Bargawan), P.S- Islampur, Distt.- Nalanda.
 2. Chandan Kumar @ Chetan Yadav S/O Birendra Yadav @ Birendra Gope
R/O Village- Bargama (Bargawan), P.S- Islampur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rana Baljit Singh
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia
For the State	:	Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 6 25-04-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. Mr. Shabhi Ranjan Prasad (Inspector, Cyber Cell), Investigation Officer of Saran (Sadar) Cyber Police Station Case No. 57 of 2024, has appeared in-person, along with case diary, as directed by this Court vide order, dated 11.04.2025, for proper assistance.
3. This application, for grant of anticipatory bail, arises out of Saran (Sadar) Cyber Police Station Case No. 57 of 2024, dated 07.03.2024, disclosing offences under Sections 419/420 of the Indian Penal Code and Sections 66(C)/66(D) of the Information Technology Act.



4. The prosecution case, as per the First Information Report, is that on 06.03.2024, when the informant went to SBI, Dighwara, Saran, and enquired as to why he is not able to make payment through his Phone Pay app, the Bank Officer asked the informant to contact customer care of the app. When the informant contacted customer care, he was told that he would be contacted shortly. Thereafter, the informant was contacted from a mobile no. 7810927899 by one Rajesh Kumar on his mobile no. 9386128763 and was asked about the problem. The informant was instructed to give his bank account details and to download an app. After prolonged conversation the informant was instructed to perform some settings on his mobile phone due to which his phone's system got deleted. The informant then went to SBI, Dighwara, Saran, and got to know that fraud has been committed against him whereby a sum of Rs. 8,11,927/- has been debited from his bank accounts, bearing nos. 42487516697 and 42331079030.
5. Learned counsel for the petitioners submits that the petitioners are not named in the First Information Report and they have falsely been implicated in the present case



on the basis of confessional statement by co-accused Nitish Kumar @ Manish Kumar. He next submits that the petitioners have not committed any offence in the manner alleged and are not the beneficiary in the alleged occurrence. He further submits that there is no evidence to connect the petitioners with the alleged occurrence and only allegation against them, as stated in the confessional statement by the co-accused, is that co-accused Tun Tun Kumar @ Ankit Kumar and Nakul Kumar have sold bank accounts to the petitioners upon taking hefty money.

6. On the other hand, learned counsel for the State opposes the prayer for anticipatory bail and submits that the petitioners are holders of the bank accounts, along with other documents, in which the fraudulent money has been transferred. It has further been stated by the Investigation Officer, present-in-person, that the name of the petitioners have transpired in the case on the confessional statement of the arrested co-accused Nitish Kumar @ Manish Kumar, who is the holder of RBL Bank account, in which sum of Rs. 4,50,000/- of fraudulent money has been transferred.
7. Regards being had to the submissions made on behalf of



the parties and taking into consideration the gravity of the offence and the fact that name of the petitioners came to light during enquiry by the police which may be the basis of further enquiry in the case, for which, custodial interrogation of the petitioners may be necessary, I am not inclined to grant the petitioners privilege of anticipatory bail.

8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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