

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 10819 of 2022

Sahwaj Ansari Petitioner
Versus
The State of Jharkhand Opp. Party

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. K. K. Mishra, Advocate
For the State : Mr. Pankaj Kumar, P.P

Order No.03 /Dated: 16th December, 2022

Heard learned counsel for the applicant and learned counsel appearing on behalf of State.

This bail application has been filed on behalf of the above named applicant with prayer to release on bail in connection with Jamtara Cyber Crime P.S. Case No.16 of 2022, registered under Sections 414, 419, 420, 467, 468, 471 and 120(B) of the Indian Penal Code and Sections 66(B), (C) and (D) of the Information Technology Act, pending in the court of learned Additional Sessions Judge-I, Jamtara.

Learned counsel for the applicant has submitted that the F.I.R of this case was lodged against the seven named accused including the applicant with theses allegations that all the accused persons were involved in commission of cyber crime and from the possession of the applicant, one mobile phone is alleged to be recovered along with sim card but there is nothing on record to show that the said mobile phone was used by the applicant in commission of cyber crime against any specific victim. The applicant has been languishing in jail since 29.06.2022. The similarly situated co-accused namely, Maksud Ansari has been granted bail by this Court in B.A. No.5631 of 2022 vide order dated 03.06.2022 and Mukhtar Ansari has been granted bail by co-ordinate Bench of this Court in B.A. No.5447 of 2022 vide order dated 10.06.2022.

Learned P.P appearing on behalf of the State has opposed the contentions made by the learned counsel for the applicant and contended that the victim Suman Sharma is the specific victim.

In view of the case diary, the victim Suman Sharma herself stated that mistakenly she had made excess payment, thereafter money was withdrawn from her account. Learned P.P fail to show the complicity of the applicant in commission of alleged offence.

In view of the submissions made and materials on record, the bail application of the applicant is hereby allowed. Let the applicant be released on bail on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the court concerned in aforesaid case.

(Subhash Chand, J.)

Rohit/-