

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**B.A. No. 7794 of 2022**

D. Vinay Utpal @ Rahul

**..... Petitioner**

**Versus**

The State of Jharkhand

**.....Opposite party**

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**CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA**

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For the Petitioner : Mr. Mukesh Kumar, Advocate

For the State : Mr. Shailendra Kumar Tiwari, Spl.P.P.

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**Order No.04/ Dated:15.09.2022**

Heard learned counsel for the parties.

The petitioner has been made an accused in connection with Cyber Crime P.S. Case No. 15 of 2022, registered for the offence under Section 186, 419, 420, 467, 120 B of the Indian Penal Code and Section 10 of Jharkhand Conduct of Examination Act, 2001 and u/s 43, 43(a), 43(b), 43(c), 43-A, 66(B), 66(C), 66(D), 72(A) of the Information Technology Act, 2000, pending in the court of learned Additional Judicial Commissioner-II-Cum-Spl. Judge, Cyber Crime, Ranchi.

As per F.I.R., allegation is that the petitioner is a youtuber having his channel with certain subscribers. It is alleged that a similar question paper of class 11<sup>th</sup> math examination was uploaded by this petitioner on his youtube channel. There is a suspicion against the petitioner that he has stolen the question paper from the locker room.

Learned counsel for the petitioner has submitted that petitioner is innocent and has committed no offence at all rather he has been implicated in this case merely on the basis of suspicion. It is submitted that petitioner has no criminal antecedent. The petitioner is languishing in Judicial custody since 12.05.2022 without rhymes and reasons. Petitioner

undertakes to co-operate in the trial of the case by remaining physically present as and when required, hence, the petitioner may be enlarged on bail.

Learned Spl.P.P appearing on behalf of State has opposed the prayer for bail of the petitioner and submitted that there are sufficient materials against the petitioner showing his involvement in the present case, hence the petitioner does not deserve bail.

Regard being had to the facts and circumstances of the case and nature of allegation against the petitioner coupled with materials available against petitioner, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, named above, is directed to be released on bail on furnishing of bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Judicial Commissioner-II-Cum-Spl. Judge, Cyber Crime, Ranchi in connection with Cyber Crime P.S. Case No. 15 of 2022 subject to the conditions:-

1. Petitioner shall remain physically present on each and every date till the conclusion of the trial of this case unless prevented from sufficient cause to the satisfaction of the learned trial court.
2. Petitioner shall not indulge in tampering with the prosecution evidences or influencing the prosecution witnesses.

In case of violation of the aforesaid conditions the bail of the petitioner shall be cancelled and shall be taken into custody by the learned trial court itself for the purpose of trial.

**(Pradeep Kumar Srivastava, J.)**