

Shambhu Kumar Mandal @ Shambhu Kr. ... vs The State Of Jharkhand ... Opposite ... on 11 June, 2024

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No.1990 of 2024

Shambhu Kumar Mandal @ Shambhu Kr. Mandal

... Petitioner

Versus

The State of Jharkhand

... Opposite Party

With

B.A. No.2003 of 2024

Chandan Kumar Das

... Petitioner

Versus

The State of Jharkhand

... Opposite Party

With

B.A. No.2075 of 2024

Dayanand Das

... Petitioner

Versus

The State of Jharkhand

... Opposite Party

With

B.A. No.2393 of 2024

Sokat Ansari Shokat Ansari

... Petitioner

Versus

The State of Jharkhand

... Opposite Party

With

B.A. No.2394 of 2024

Nasar Ansari

... Petitioner

Versus

The State of Jharkhand

... Opposite Party

With

B.A. No.2603 of 2024

Md. Mustak Ansari

... Petitioner

Versus

The State of Jharkhand

... Opposite Party

Coram: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioners : Mr. Rahul Ranjan, Advocate [B.A. No.1990/2024] Mr. Arvind Kr. Choudhary, Advocate [B.A. No.2003/2075 of 2024] Mr. Subrat Kishore Singh, Advocate [B.A. No.2393/2394 of 2024] Mr. K.S. Nanda, Advocate [B.A. No.2603/2024] For the State : Mrs. Nehala Sharmin, A.P.P. [B.A. No.1990/2003 of 2024] Mr. Ajay Kumar Pathak, A.P.P. [B.A. No.2075/2024] Mr. Shialendra Kr. Tiwari, A.P.P. [B.A. No.2393 of 2024] Mr. Shiv Shankar Kumar, A.P.P. [B.A. No. 2394 of 2024] Mrs. Ruby Pandey, A.P.P. [B.A. No. 2603 of 2024] Order No.03 Dated- 11.06.2024 Heard learned counsel for the parties.

2. The petitioners have been made accused in connection with Cyber P.S. Case No. 96 of 2023 registered under sections 419, 420, 467, 468, 471, 120-B of Indian Penal Code and Sections 66(B), 66(C), 66(D) & 84(C) of I.T. Act.

3. All these bail applications arising out of same FIR have been heard together.

4. As per FIR, allegation is that the informant received secret information that petitioners along with others were engaged in commission of cyber-crime and a raid was conducted and all the accused were apprehended. From their possession, several mobiles phones with SIM Cards were recovered.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have committed no offence at all rather they have been falsely implicated in this case on the basis of suspicion. It is further submitted that no incriminating articles have been recovered from the conscious possession of the petitioners. Petitioners are neither involved in cyber-crime nor they have any association with the cyber criminals. Co-accused with similar allegation has already been granted regular bail by the Co-ordinate Bench of this Court vide order dated 10.05.2024 passed in B.A. No.2125 of 2024. Petitioners undertake to co-operate with the trial of the case and remain physically present on each and every date till the conclusion of the trial and shall not indulge in tampering with the prosecution evidence or influence the witnesses or gain over them. The petitioners are languishing in judicial custody without any rhymes and reasons. Hence the petitioners may be enlarged on bail.

6. Learned Addl. P.Ps. have opposed the prayer for bail of the petitioners.

7. Considering the facts and circumstances of this case, the nature of allegation against petitioners coupled with materials available on record and period of custody of the petitioner, I am inclined to release the above named petitioners, on bail. Accordingly, the petitioners named above, are directed to be released on bail on furnishing bail bond of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Deoghar in connection with Cyber P.S. Case No. 96 of 2023 with condition that petitioners shall appear physically on each and every date during the trial of case till its conclusion unless their physical appearances are dispensed with for sufficient cause to the satisfaction of the learned trial court and with further condition that petitioners shall not indulge in tampering with the prosecution evidence or influence the witnesses or gain over them.

(Pradeep Kumar Srivastava, J.) Pappu/