

Ganesh Prasad @ Ganesh Kumar vs The State Of Jharkhand Opp. Party on 3 July, 2024

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 3882 of 2024

Ganesh Prasad @ Ganesh Kumar Petitioner
Versus	
The State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioner : Mr. Anil Kumar Sinha, Advocate. For the State : Mr. Sunil Kumar Dubey, A.P.P.

rd Order No. 05/Dated: 3 July, 2024 Heard learned counsel for the parties.

The petitioner has been made an accused in connection with Giridih (Cyber) P.S. Case No. 09 of 2024, registered for the offences punishable under Sections 419, 420, 467, 468, 471, 120B and 34 of the I.P.C. and Section 66(B), 66(C), 66(D), 66(E), 67 and 67A of the Information Technology Act., pending in the Court of learned Additional Sessions Judge-II-Cum-Special Judge Cyber Crime, Giridih.

As per FIR, on the basis of secret information regarding commission of Cyber Crime, informant along with police party raided the said place and saw that four persons were sitting near a tree in the forest and were busy on talking on mobile and after seeing the police party, they tried to flee away, but they were apprehended and two succeeded to flee away.

Learned counsel for the petitioner has submitted that petitioner is innocent and has committed no offence at all as alleged in the FIR. Petitioner has no criminal antecedent. Nothing has been recovered from the possession of the petitioner which belongs to any Cyber Crime. Other co-accused person with similar allegation has been granted bail by this Court vide order dated 22.06.2024 passed in B.A. No. 4026 of 2024. Petitioner undertakes to cooperate in the trial of the case by remaining physically present as and when required and shall not indulge in any manner in tampering with the prosecution Page 1|2 evidences or influencing the witnesses of prosecution. Hence, the petitioner may be extended the privilege of bail. Hence, the petitioner may be extended the privilege of bail.

On the other hand, learned Addl.P.P appearing for the State has opposed the prayer for bail of the petitioner.

Regard being had to the facts and circumstances of the case, nature of allegation coupled with the materials available against the petitioner, I am inclined to release the petitioner on regular bail. Accordingly, the petitioner named above is directed to be released on bail on furnishing of bail bond of Rs.25,000/- (Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-Cum-Special Judge Cyber Crime, Giridih in connection with Giridih (Cyber) P.S. Case No. 09 of 2024 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 any or other similar offence till the conclusion of the trial.

(3) 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.

(Pradeep Kumar Srivastava, J.) Simran/ Page 2|2