

Dinesh Paswan vs The State Of Bihar on 1 December, 2022

Author: Satyavrat Verma

Bench: Satyavrat Verma

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.16825 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- GRIYAK District- Nalanda

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PAPPU SINGH @ RAKESH KUMAR Son of Sheo Nandan Singh Resident
of Village - Katardih, P.S.- Katarisarai, District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 18928 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- GRIYAK District- Nalanda

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1. PINTU KUMAR Son of Rajju Mistry Resident of Village - Kamalbigha, P.S.
- katrisarai, District - Nalanda.
2. Sangam Kumar Son of Late Malu Mistry @ Late Rajju Mistry Resident of
Village - Kamalbigha, P.S. - katrisarai, District - Nalanda.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 55876 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- GRIYAK District- Nalanda

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1. DINESH PASWAN son of Bhim Paswan Resident of village- Katardih,
Police Station- Katrisarai in the district of Nalanda.
2. Raushan Paswan son of Bhim Paswan Resident of village- Katardih, Police
Station- Katrisarai in the district of Nalanda.
3. Sanjay Paswan @ Sujay paswan son of Bhim Paswan Resident of village-
Katardih, Police Station- Katrisarai in the district of Nalanda.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 57467 of 2022
Arising Out of PS. Case No.-16 Year-2022 Thana- GRIYAK District- Nalanda
Patna High Court CR. MISC. No.16825 of 2022(3) dt.01-12-2022
2/11

- =====
1. SAURABH KUMAR S/o Uchit Singh R/o village- Katardih, P.S.-
Katrisarai, District- Nalanda
 2. ABHISHEK KUMAR @ DILIP KUMAR S/o Uchit Singh R/o village-
Katardih, P.S.- Katrisarai, District- Nalanda
 3. ANKIT RAJ @ RAVI KUMAR S/o Umesh Singh R/o village- Katardih,
P.S.- Katrisarai, District- Nalanda

... .. Petiti

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 16825 of 2022)

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 18928 of 2022)

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 55876 of 2022)

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan App, 231, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 57467 of 2022)

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 01-12-2022

CRIMINAL MISCELLANEOUS No.16825 of 2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code and Section 66(C) (D) of the I.T. Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the case relates Patna High Court CR. MISC. No.16825 of 2022(3) dt.01-12-2022 to Cyber Crime in which several of the accused have been granted anticipatory bail, Prince Kumar has been granted

anticipatory bail by Order Dated 05.09.2022 in Cr. Misc. No. 19510 of 2022. Learned counsel next submits that even from perusal of the allegation as alleged in the FIR it would manifest that no specific allegation is alleged against him, it is next submitted that allegations are general and omnibus in nature, it is also submitted that purpose of arrest is only arises when an accused evades law or does not cooperate in the investigation but the petitioner is ready and willing to cooperate in the investigation and will present himself before the investigating officer of the case as and when called for by the investigating officer.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case Patna High Court CR. MISC. No.16825 of 2022(3) dt.01-12-2022 is pending/successor court in connection with Giriyak P.S. Case No. 16 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailor shall be the father of the petitioner Sheo Nandan Singh.

Further, in the event, if the investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when called the learned trial Court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have liberty to cancel his bail bonds.

The learned trial Court is directed to send the copy of this Order to the concerned P.S. CRIMINAL MISCELLANEOUS No. 18928 of 2022 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code and Section 66(C) Patna High Court CR. MISC. No.16825 of 2022(3) dt.01-12-2022 (D) of the I.T. Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the case relates to Cyber Crime in which several of the accused have been granted anticipatory bail, Prince Kumar has been granted anticipatory bail by Order Dated 05.09.2022 in Cr. Misc. No. 19510 of 2022. Learned counsel next submits that even from perusal of the allegation as alleged in the FIR it would manifest that no specific allegation is alleged against him, it is next submitted that allegations are general and omnibus in nature, it is also submitted that purpose of arrest is only arises when an accused evades law or does not cooperate in the investigation but the petitioners are ready and willing to cooperate in the investigation and will present himself before the investigating officer of the case as and when called for by the investigating officer.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on Patna High Court CR. MISC. No.16825 of 2022(3) dt.01-12-2022 anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Giriyak P.S. Case No. 16 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailor of the petitioner no. 1 shall be his father Rajju Mistry.

One of the bailor of the petitioner no. 2 shall also be the mother of petitioner no. 1.

Further, in the event, if the investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioners despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when called the learned trial Court after giving an opportunity of hearing to the petitioners shall pass orders in accordance with law and shall also have liberty to cancel his bail bonds.

The learned trial Court is directed to send the copy of this Order to the concerned P.S. CRIMINAL MISCELLANEOUS No. 55876 of 2022 Patna High Court CR. MISC. No.16825 of 2022(3) dt.01-12-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code and Section 66(C) (D) of the I.T. Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the case relates to Cyber Crime in which several of the accused have been granted anticipatory bail, Prince Kumar has been granted anticipatory bail by Order Dated 05.09.2022 in Cr. Misc. No. 19510 of 2022. Learned counsel next submits that even from perusal of the allegation as alleged in the FIR it would manifest that no specific allegation is alleged against him, it is next submitted that allegations are general and omnibus in nature, it is also submitted that purpose of arrest is only arises when an accused evades law or does not cooperate in the investigation but the petitioners are ready and willing to cooperate in the investigation and will present himself before the investigating officer of the case as and when called for by the investigating officer.

Learned A.P.P. for the State opposes the prayer for Patna High Court CR. MISC. No.16825 of 2022(3) dt.01-12-2022 anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the

learned trial court where the case is pending/successor court in connection with Giriyak P.S. Case No. 16 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailor shall be their father Bhim Paswan. Further, in the event, if the investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioners despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when called the learned trial Court after giving an opportunity of hearing to the petitioners shall pass orders in accordance with law and shall also have liberty to cancel his bail bonds.

The learned trial Court is directed to send the copy of this Order to the concerned P.S. Patna High Court CR. MISC. No.16825 of 2022(3) dt.01-12-2022 CRIMINAL MISCELLANEOUS No. 57467 of 2022 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code and Section 66(C) (D) of the I.T. Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the case relates to Cyber Crime in which several of the accused have been granted anticipatory bail, Prince Kumar has been granted anticipatory bail by Order Dated 05.09.2022 in Cr. Misc. No. 19510 of 2022. Learned counsel next submits that even from perusal of the allegation as alleged in the FIR it would manifest that no specific allegation is alleged against him, it is next submitted that allegations are general and omnibus in nature, it is also submitted that purpose of arrest is only arises when an accused evades law or does not cooperate in the investigation but the petitioners are ready and willing to cooperate in the investigation and will present himself before the investigating officer of the case as and when called for by the investigating officer.

Patna High Court CR. MISC. No.16825 of 2022(3) dt.01-12-2022 Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Giriyak P.S. Case No. 16 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailor of petitioner no. 1 and 2 shall be their respective father Uchit Singh.

One of the bailor of petitioner no. 3 shall be his father Umesh Singh.

Further, in the event, if the investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioners despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when called the learned trial Court after

giving an opportunity of hearing to the petitioners shall pass orders in Patna High Court CR. MISC. No.16825 of 2022(3) dt.01-12-2022 accordance with law and shall also have liberty to cancel his bail bonds.

The learned trial Court is directed to send the copy of this Order to the concerned P.S. (Satyavrat Verma, J) GauravSinha/-

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