

Ravi Kant vs The State Of Jharkhand Opp. ... on 25 September, 2024

Author: Subhash Chand

Bench: Subhash Chand

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 5024 of 2024

Ravi Kant, aged about 33 years, S/o Late Jitendra Sinha, Resident of Usha
Niwasi, Road No.9, Dwarika Puri, Post + P.S. Chutia, District Ranchi
(Jharkhand) Petitioner
Versus
The State of Jharkhand Opp. Party

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. Indrajit Sinha, Advocate
Mr. Rahul Dev, Advocate
Ms. Shipra Sonam, Advocate
Mr. Priyanshu Niles, Advocate
For the State : Mr. Shailesh Kumar Sinha, APP

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Order No.09 /Dated: 25 September, 2024

1. Heard learned counsel for the petitioner and learned APP for the State.
2. The instant bail application has been filed on behalf of the abovenamed petitioner with prayer to release on bail in connection with Cyber P.S. Case No.78 of 2024 registered under Sections 419, 420, 467, 468, 471, 120-B, 34, 37 of the Indian Penal Code and Section 66 r/w 43, 66(B), 66(C) and 66(D) of the I.T. Act, pending in the court of learned A.J.C.-II-cum- Special Judge, Cyber Crime, Ranchi, Jharkhand.
3. Learned counsel for the petitioner has submitted that as per the allegations made in the FIR, the petitioner is alleged to have gone the call center and raid was conducted thereon. It is also alleged that training was being imparted by the petitioner to the other co-accused and the petitioner and other co-accused are alleged to have been involved in committing the cybercrime. It is further submitted that the petitioner is the tenant of one premises on the very floor, where the said call center is alleged to have been run. In this case, there is no complaint against him and no victim has been shown by the prosecution in the whole FIR.

4. The learned APP opposed the contentions made by the learned counsel for the petitioner.

5. As per the allegations made in the FIR, the informant after having received the secret information that the cyber fraud was being committed by the call center situated at Harmu, Ranchi, raid was carried out on 18.03.2024.

After making the entry of the same in police station diary, a raiding team was constituted and the raid was carried out at the indicated place i.e. office of Ricky Consultancy Service, wherein three persons were found working on the laptop, who stated that they were doing the work of software developers of Ravi Kant and Varsha Kumari. On disclosure being made by them, the team had entered into the hall, wherein 11 persons were found talking in English through headphone, connected with computers and a person was found instructing all of them. Total forty-five cabins were found in the said hall, in which twenty-seven desktop computers were fixed, connected with internet and all of the same were found in working mode. A room was also found in a corner of the said hall, on the door of which, "Danger Zone" was written. The team intruded into the said room from, where three persons managed to flee away from another door but the one was apprehended who disclosed his name as Ravi Kant (petitioner) and he admitted that he is the owner of the said call center. Total five computer cabins were found in the said room where four laptops were there.

6. Ravi Kant was working on one of those laptops and he stated that the three persons, who escaped, namely, Kadir Ali, Wasim Ansari and Vikash Singh, who were working on the rest of three laptops. Two routers and an internet connection were found fixed in the said room. Ten calling agents named as Keshav Jha, Divyani, Priyanka Kumari, Abhiket Raj, Ankit Kumar, Roushan Kumar, Vansh Kumar, Aman Kumar, Priti Kumari and Aryan Singh, and the trainer named Md. Ekramul Ansari, present there, were also taken into custody. They were working for the clients of Australia in the morning shift of 05:30 AM to 12:30 PM, through cloud website, as per instructions of Ravi Kant and other supervisors and in the second shift of 01:00 PM to 08:00 PM, they were working for the clients of UK. The owner of the call-center namely Ravi Kant stated that with the help of Gourav Gupta and Anik Datta, he started that the call center in which Vikash Kumar Singh agreed to invest the money as partnership of 33%. Sudhanshu Kumar Chourasiya opened a firm named G.G. Infotech and opened a bank account in SBI, in the name of said firm, on a monthly payment of Rs. 15,000/-. Twenty persons were appointed for the job, in which, Kadir, Saloni and Shailesh were working as "Closure" and Ekramul Ansari, Wasim and Rakchha were working as "Sub-Closure". One of the partners named Gourav Gupta was working as Chief Technical Head. After information collected by Ravi Kant, a police team went to his house and made search and, on his identification, some documents related to transaction of money, documents related to the company, a wifi router, a laptop and a mobile phone were recovered and seized. Hence this FIR was lodged.

7. From the very perusal of this FIR, the allegations are made against the present petitioner on disclosure being made by the petitioner. The learned APP for the State has conceded that neither in the FIR nor in whole case diary, the victim is shown and he contended that the investigation is still going on. Admittedly, no complaint is pending against the present petitioner. The similarly situated co-accused, namely, Vikash Kumar Singh in A.B.P. No.1226 of 2024 and another co-accused namely, Anik Dutta in A.B.P. No.1332 of 2024 have been granted anticipatory bail by the learned

A.J.C. II cum Special Judge, Cyber Crimes, Ranchi vide order dated 16.05.2024 and 01.06.2024 respectively.

8. In view of the above, the bail application of the petitioner is hereby allowed. Let the petitioner 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 cases.

(Subhash Chand, J.) Madhav/-