

Dablu Das @ Dablu Kumar @ Dablu Kumar Aged vs The State Of Jharkhand Opp. Party on 24 February, 2025

Author: Sanjay Prasad

Bench: Sanjay Prasad

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Revision No. 763 of 2024

Dablu Das @ Dablu Kumar @ Dablu Kumar aged about 17 years, son of Baleshwar Das, R/o Vill Pichhidibad, P.O-Sarath, P.S-Sarath, Dist- Deoghar, Represented through his natural Guardian Father Baleshwar Das Petitioner Versus The State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Rahul Ranjan, Advocate For the State : Mr. Shailesh Kr. Tiwari, A.P.P.

08/24.02.2025 This Criminal Revision Application has been filed on behalf of the juvenile petitioner challenging the judgment dated 24.06.2024, passed by Shri Rajeev Ranjan, learned Addl. Sessions Judge-1- cum-Children Court, Deoghar in Criminal (Juvenile Bail) Appeal No. 31 of 2024, by which prayer for bail of the petitioner has been rejected by affirming the order dated 31.05.2024, passed by the In-Charge Principal Magistrate & Members of Juvenile Justice Board, Deoghar, in connection with Cyber P.S. Case No.17 of 2024 corresponding to Inquiry No. 174 of 2024 instituted for the offence under Section 419, 420, 467, 468, 471, 120B of the I.P.C. and Sections 66(B), (C), (D), 84(C) of the I.T. Act, by which the prayer for bail of the petitioner has been rejected.

2. Heard Mr. Rahul Ranjan, learned counsel for the juvenile-petitioner and Mr. Shailesh Kr. Tiwari, learned Spl.PP appearing for the State.

3. Learned counsel for the petitioner has submitted that altogether Seven persons including this juvenile petitioner, namely Dablu Kumar were apprehended by the Police on 20.02.2024. The name of Six other persons, as disclosed in the F.I.R. are Dhananjay Kr. Das, Nityanand Das, Ajay Kumar Das, Sunil Das, Vikas Kumar Mahra, Jitendra Das and they were found in possession of Mobile Phone and SIM Card. It is further submitted that Six persons, namely Sunil Kumar Das, Vikash Kumar Mahra, Dhananjay Kumar Das, Nityanand Das and Ajay Kumar Das have been granted bail

in B.A. No.s 3769 of 2024, 3771 of 2024, 3879 of 2024, 3972 of 2024 and 3975 of 2024 respectively by the Co-ordinate Bench (Hon'ble Mr. Justice Pradeep Kumar Srivastava) on 10.07.2024, whereas the other co-accused Jitendra Kumar Das has already been released on bail by the Co-ordinate Bench (Hon'ble Mr. Justice Rajesh Kumar) of this Court vide B.A. No. 3770 of 2024 on 16.05.2024. It is submitted that the case of the juvenile-petitioner stands on the similar footing and the petitioner is in custody since 20.02.2024. It is submitted that the father of the Juvenile petitioner is ready to take proper care of the Juvenile petitioner and hence, the petitioner may be enlarged on bail on the ground of parity.

4. On the other hand, the learned A.P.P. has opposed the prayer for bail and has submitted that one of the victims, namely Nitesh Patel, as stated in Para 86 of the Case Diary that the petitioner has attempted to commit Cyber fraud upon him through Mobile. It is further submitted that several evidence of operation of Mobile of the petitioner in Cyber Crime have been found. However, the Special P.P. has finally admitted that case of the petitioner is in the similar footing of the other Six persons, who have been granted bail by the Co-ordinate Bench of this Court.

5. Having heard learned counsel for both the sides and considering the fact that the Co-accused, namely Sunil Kumar Das, Vikash Kumar Mahra, Dhananjay Kumar Das, Nityanand Das and Ajay Kumar Das and Jitendra Kumar Das, who have been granted bail by the Co-ordinate Bench of this Court and this juvenile-petitioner were apprehended by the Police in the same transaction, this Court finds the case of the juvenile-petitioner fit for grant of bail on the ground of parity.

6. Under the circumstances and considering the custody of the petitioner, the petitioner, namely Dablu Das @ Dablu Das @ Dablu Kumar is directed to be released on Bail, on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the In-Charge Principal Magistrate of Juvenile Justice Board, Lohardaga/or his Successor Court and be handed over to his father in connection with Cyber P.S. Case No.17 of 2024 corresponding to Inquiry No. 174 of 2024, subject to the following 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.

7. In the result, judgment dated 24.06.2024, passed by Shri Rajeev Ranjan, learned Addl. Sessions Judge-1-cum-Children Court, Deoghar in Criminal (Juvenile Bail) Appeal No. 31 of 2024 and the order dated 31.05.2024, passed by the In-Charge Principal Magistrate & Members of Juvenile Justice Board, Deoghar, in connection with Cyber P.S. Case No.17 of 2024 corresponding to Inquiry No. 174 of 2024 are set aside.

8. Thus, this Cr. Revision No. 763 of 2024 is allowed and stands disposed of.

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(Sanjay Prasad, J.) s.m.