

Vikash Das vs The State Of Jharkhand ...Opposite ... on 15 May, 2024

Author: Ratnaker Bhengra

Bench: Ratnaker Bhengra

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 1680 of 2024

With

B.A. No. 1703 of 2024

With

B.A. No. 1709 of 2024

With

B.A. No. 1712 of 2024

With

B.A. No. 1726 of 2024

With

B.A. No. 1727 of 2024

With

B.A. No. 1728 of 2024

With

B.A. No. 1753 of 2024

With

B.A. No. 1766 of 2024

With

B.A. No. 1796 of 2024

With

B.A. No. 1807 of 2024

With

B.A. No. 1854 of 2024

With

B.A. No. 1994 of 2024

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| Vikash Das | ... Petitioner in B.A. No. 1680 of 2024 |
| Vijay Kumar Das | ... Petitioner in B.A. No. 1703 of 2024 |
| Manoj Das | ... Petitioner in B.A. No. 1709 of 2024 |
| Prakash Das | ... Petitioner in B.A. No. 1712 of 2024 |
| Nazir Das | ... Petitioner in B.A. No. 1726 of 2024 |
| Kundan Kumar Das | ... Petitioner in B.A. No. 1727 of 2024 |
| Panchanan Kumar Das @ Panchanand Das | ... Petitioner in B.A. No. 1728 of 2024 |
| Amit Kumar Das @ Sakti Das | ... Petitioner in B.A. No. 1753 of 2024 |
| Pawan Das | ... Petitioner in B.A. No. 1766 of 2024 |
| Sabir Ansari | ... Petitioner in B.A. No. 1796 of 2024 |
| Nitesh Das | ... Petitioner in B.A. No. 1807 of 2024 |
| Uday Kumar Das | ... Petitioner in B.A. No. 1854 of 2024 |
| Kundan Kumar Mandal @ Kundan Kumar.. | Petitioner in B.A. No. 1994 of 2024 |

-Versus-

The State of Jharkhand

...Opposite Party in all the cases

CORAM :- HON'BLE MR. JUSTICE RATNAKER BHENGRA

For the Petitioner :- Mr. Arvind Kumar Choudhary, Advocate;
Mr. Pran Pranay, Advocate;
Mr. Lalit Yadav, Advocate;
Mr. Shahid Yunus, Advocate;

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Mr. Sanjeev Thakur, Advocate;
Mr. Pramod Kr. Jha, Advocate

For the State :- Mr. Rajesh Kumar, APP;
Mr. Vishwanath Roy, SPP;
Mr. Someshwar Roy, APP
Mr. Shailendra Kumar Tiwari, APP;
Mr. Santosh Kr. Shukla, APP;
Mr. Ajay Kr. Pathak, APP;
Mrs. Priya Shrestha, SPP;
Mr. Pankaj Kumar, PP;
Mrs. Anuradha Sahay, APP
Mr. Pankaj Kr. Mishra, APP;
...

06/15.05.2024: All the counsels have appeared.

The learned counsel for the petitioner (Vikash Das in B.A. No. 1680 of 2024) has submitted that from the possession of this petitioner, Vivo android mobile with Jio and Airtel SIMs, SBI passbook, IPPB ATM card, and Indian Bank debit card were seized. The learned counsel has further submitted that this petitioner has got no criminal antecedent. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner.

The learned counsel for the petitioner (Vijay Kumar Das in B.A. No. 1703 of 2024) has submitted that from the possession of this petitioner, one mobile phone along with SIM cards was recovered. The learned counsel has further submitted that this petitioner has no criminal antecedent. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that recovery of one mobile phone along with SIM cards was made. The learned counsel has further submitted that he was apprehended with large number of other accused persons, who were indulged in cyber offence and that the petitioner was representing himself as Bank officer and had committed cyber crime.

The learned counsel for the petitioner (Manoj Das in B.A. No. 1709 of 2024) has submitted that from the possession of this petitioner, Samsung android mobile with Jio SIM, extra Airtel Sim, and UCO Bank passbook were seized. The learned counsel has further submitted that apart from this case he has another case of cyber crime of the year 2017 in which he is on bail. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that there is one victim in this case and that in the CDR, involvement of the petitioner in cyber offence is indicated.

The learned counsel for the petitioner (Prakash Das in B.A. No. 1712 of 2024) has submitted that from the possession of this petitioner, one mobile without SIM card was recovered. The learned counsel has further submitted that this petitioner has got no criminal antecedent. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that though there is no victim in this case but there are several crime links against the petitioner.

The learned counsel for the petitioner (Nazir Das in B.A. No. 1726 of 2024) has submitted that from the possession of this petitioner, Realme android mobile with Jio and Airtel SIMs, and extra Airtel SIM were seized. Regarding criminal antecedents of the petitioner, the learned counsel has submitted that apart from this case, this petitioner has one another case relating to family dispute. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that crime link has been found and that there are various amount allegedly indicated to be involved in the offence. In the CDR records, involvement of the petitioner in cyber offence is indicated. Moreover, the SIM cards had been issued in the name of other persons.

The learned counsel for the petitioner (Kundan Kumar Das in B.A. No. 1727 of 2024) has submitted that from the possession of this petitioner, one Vivo android mobile with JIO SIM and MI android mobile were seized. The learned counsel has further submitted that the petitioner has got no criminal antecedent. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that there is one victim in this case. Moreover, the CDR records indicates involvement of the petitioner in cyber offence and that crime links have also been found.

The learned counsel for the petitioner (Panchanan Kumar Das @ Panchanand Das in B.A. No. 1728 of 2024) has submitted that from the possession of this petitioner, Infinix android mobile with Jio SIM, and extra Airtel SIM were seized. The learned counsel has further submitted that the petitioner

and his family members were made an accused in another case i.e. Devipur PS Case No. 109 of 2022 and apart from the aforesaid case, the petitioner has got no criminal antecedent. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that though there is no victim in this case but the CDR records indicates involvement of the petitioner in cyber offence and that crime links have also been found.

The learned counsel for the petitioner (Amit Kumar Das @ Sakti Das in B.A. No. 1753 of 2024) has submitted that from the possession of this petitioner, one mobile phone along with SIM card was recovered. The learned counsel has further submitted that the petitioner has no criminal antecedent. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that the petitioner representing himself as Bank official when he was not and had committed cyber offence.

The learned counsel for the petitioner (Pawan Das in B.A. No. 1766 of 2024) has submitted that from the possession of this petitioner, one android mobile with one SIM was recovered. The learned counsel has further submitted that save and except the present case, the petitioner is not having any other criminal antecedent. Moreover, the petitioner is in custody since 09.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that several crime links were found against the petitioner.

The learned counsel for the petitioner (Sabir Ansari in B.A. No. 1796 of 2024) has submitted that from the possession of this petitioner, one mobile phone was recovered. The learned counsel has further submitted that the petitioner has no criminal antecedent. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that there is one victim in this case and that several crime links were found against the petitioner.

The learned counsel for the petitioner (Nitesh Das in B.A. No. 1807 of 2024) has submitted that from the possession of this petitioner, one Infinix android mobile and three SIM cards were recovered. The learned counsel has further submitted that the petitioner has no criminal antecedent. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that several crime links were found against the petitioner. Moreover, CDR records

indicates involvement of the petitioner in cyber offence.

The learned counsel for the petitioner (Uday Kumar Das in B.A. No. 1854 of 2024) has submitted that from the possession of this petitioner, two mobile phones along with SIM cards were recovered. The learned counsel has further submitted that the petitioner has no criminal antecedent. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has supported the recovery as submitted by the learned counsel for the petitioner.

The learned counsel for the petitioner (Kundan Kumar Mandal @ Kundan Kumar in B.A. No. 1994 of 2024) has submitted that from the possession of this petitioner, two mobile phones with two SIM cards were recovered. The learned counsel has further submitted that apart from this case, the petitioner has one cyber crime offence of the year 2021, in which, he is on bail. Moreover, the petitioner is in custody since 08.12.2023. Therefore, the petitioner may be granted privilege of bail.

Learned counsel for the State has vehemently opposed the bail application of the petitioner and has submitted that crime links have been found against the petitioner and there is also indication of wallets being installed which were used by the petitioner for committing the cyber crime.

Having gone through the records of the cases and arguments in the facts and circumstances, present petitioners, named above, are ordered to be released on bail on executing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Cyber Crime, Deoghar, in connection with Deoghar (Cyber) PS Case No. 82 of 2023, subject to the conditions that (i) the petitioners will submit self-attested photocopy of their Aadhaar Cards and also submit their mobile numbers before the learned Court below which they will always keep active and will not change it during pendency of this case without prior permission of the Court (ii) the petitioners shall also remain present on each and every date of trial before the learned Court below unless dispensed with by the learned Court below and (iii) the petitioners shall report to the concerned police station on last Saturday of every month between 1:00 PM and 5:00 PM in the next twelve month, failing which their bail bonds shall be cancelled. Any exception to such attendance shall be done so after direction from the learned Court below.

S.B.

(Ratnaker Bhengra, J.)