

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No.1239 of 2020**

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Sarif Ansari @ Sharif Ansari	...	Petitioner
Versus		
The State of Jharkhand	...	Opposite Party

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**CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioner	: Mr. A.K. Choudhary, Advocate
For the State	: Mr. S.S. Kumar, Addl. P.P.

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**Order No.02 Dated- 28.02.2020**

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Cyber P.S. Case No.23 of 2019 (Cyber Case No.03 of 2020) registered under sections 419/420/467/468/471/506/120B of the Indian Penal Code and under Section 66 (B), (C), (D) of I.T. Act.

Heard the learned counsel for the petitioner and learned Addl. P.P. for the State.

The learned counsel for the petitioner submits that the allegation against the petitioner is that he along with co-accused persons of the case are impersonating themselves as bank officers and after obtaining information about the details of A.T.M. cards of the account holders of bank, they swindle away money from their bank accounts through e-wallets. It is also alleged that when the police reached the house of the petitioner mobile phones, ATM cards, was recovered and perusal of the record reveals that a sum of Rs.84,344/- was found deposited in the bank account which is the illegal earning made by the petitioner through cybercrime but in the FIR, it has been erroneously mentioned as Rs.8,43,444/-. It is then submitted that the petitioner undertakes to deposit Rs. 84,344/- with the Registrar Civil Court, Giridih without prejudice to his defence in this case subject to final decision of the case and undertakes to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of four months from the date of this order, he shall be released on bail on depositing a demand draft of Rs. 84,344/- with the Registrar Civil Court, Giridih and on furnishing 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 Court, Giridih, in connection with Cyber P.S. Case No.23 of 2019 (Cyber Case No.03 of 2020) with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

In case, the petitioner deposits the demand draft of Rs. 84,344/- drawn in favour of the Registrar Civil Court, Giridih, the court below is directed to deposit the same in fixed deposit in any nationalized bank at least for a period of two years with auto renewal clause and the trial court may release the said amount or any part of the same if any victim of the cybercrime claims the said amount on satisfying the court that the claimant has been defrauded by acts of cybercrime related to the petitioner. At the time of conclusion of the trial, the trial court will pass appropriate order regarding the residual money if any, deposited by the petitioner.

In case, of misuse of bail, the said amount of Rs. 84,344/- or the remaining amount if any be forfeited to the State.

**(Anil Kumar Choudhary, J.)**