

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 277 of 2026

Kundan Kumar Yadav, aged about 35 years, son of Baijnath
Yadav, resident of village – Birhawaran, PO – Malhara, PS –
Mohanpur, District - Deoghar **.... Petitioner**

-- Versus --

The State of Jharkhand **.... Opposite Party**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Kehkashan Afsheen, Advocate

For the State :- Mr. Shailendra Kr. Tiwari, Advocate

02/21.01.2026 Heard learned counsel appearing for the petitioner as well
as the learned counsel appearing for the State.

2. The petitioner is apprehending his arrest in connection with
Chandwa P.S. Case No.44 of 2022 for the alleged offences
registered under Sections 419 and 420 of Indian Penal Code and
Sections 66(C) and 66(D) of I.T. Amendment Act, 2008, pending in
the Court of learned A.C.J.M., Latehar.

3. Learned counsel appearing for the petitioner submits that
the petitioner is not knowing how the sim in the name of the
petitioner has been used in the crime and the allegations are made
of siphoning of the money from the account of the informant. She
further submits that the petitioner has already replied to the notice
under Section 41A of Cr.P.C. She then submits that the petitioner
earns his livelihood by way of driving the truck and he is a truck
driver. She next submits that one criminal antecedent is there

against the petitioner, however, that is not related to cyber-crime.

4. Learned counsel appearing for the State opposes the prayer and submits that the sim in the name of the petitioner has been used in the crime.

5. Considering that there is no transaction in the account of the petitioner and the petitioner has already replied to the notice under Section 41A of Cr.P.C. and how the sim of the petitioner has come in the hand of the co-accused that is the subject matter of investigation and in that view of the matter the petitioner is directed to surrender before the learned Court within two weeks and the learned Court shall release the petitioner on such terms and conditions or the sureties as the learned Court may deem fit and proper.

(Sanjay Kumar Dwivedi, J.)

Dated 21.01.2026
Sangam/