

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Revision No. 1202 of 2024

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Rajesh Kumar Das aged about 16 years, son of Prakash Das, resident of village- Kokribank (Konkaribank), P.O & P.S:- Jasidih, District:- Deoghar, represented through his natural guardian and father of the petitioner namely Prakash Das son of Sri Shivan Das, resident of village:- Konkaribank (Kokribank), P.O & P.S:- Jasidih, District:- Deoghar

.....Petitioner

Versus

The State of Jharkhand

.....Opp. Party

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Sudhanshu Kr. Deo, Advocate
For the State : Mr. Shailendra Kr. Tiwari, Spl.P.P

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Order No: 05/Dated: 08.07.2025

This Criminal Revision Application has been filed on behalf of the juvenile petitioner by challenging the judgment dated 01.11.2024 passed by Sri Rajeev Ranjan, learned Vacation Judge-cum-Children Court, Deoghar in Criminal (Juvenile bail) Appeal No. 51 of 2024 by which the appeal filed on behalf of the juvenile petitioner has been dismissed thereby, affirming the order dated 30.09.2024 passed by learned Principal Magistrate, Juvenile Justice Board, Deoghar in connection with Deoghar Cyber P.S Case No. 93 of 2024 (corresponding to Inquiry No. 205 of 2024) instituted for the offences under Sections 319(2), 318(4), 338, 336(3) and Section 340(2) of B.N.S, 2023 and also for the offences under Sections 66(B), 66(C), 66(D) and 84(C) of I.T Act by which the prayer for bail of the juvenile petitioner has been rejected.

2. As per the F.I.R, it is alleged that on 09.09.2024 at about

11:00 A.M, the informant namely Sandeep Kumar Bhagat i.e. S.I of Deoghar (Cyber) Police Station has received the secret information that the petitioner has cheated the several people online through PhonePe and forged Customer Care Officer. It is further alleged that the petitioner came to village Raidih, Musha Tola, near the Bricks Bhathah for the purpose of cyber cheating. Thereafter, the informant lodged Sanha bearing Sanha No. 09 of 2024 dated 09.09.2024 at about 11:00 A.M and informed higher police officials for the confirmation of information and then, the informant constituted a raiding team and came to Jasidih Police Station. Thereafter, the police team apprehended the petitioner with the help of Officer-in-Charge, Jasidih Police Station and during course of search one (01) mobile phone of deep blue colour Redmi android mobile along with SIMs bearing phone no. 6201767618 and 9229122892 were recovered from the possession of the petitioner in presence of the witnesses.

3. Heard learned counsel for the petitioner and learned counsel for the State.

4. Learned counsel for the petitioner has submitted that the impugned judgment and order passed by the learned Appellate Court and Juvenile Justice Board, Deoghar are illegal, arbitrary and not sustainable in the eye of law. It is submitted that the juvenile petitioner is innocent and has falsely implicated in this case. It is submitted that no incriminating articles have been recovered from the possession of the petitioner. It is submitted that no one has made any complaint against the petitioner regarding any illegal transaction or transfer of money in his account. It is submitted that the I.O has not collected any legal materials against the petitioner. It is submitted that the father of the petitioner is a natural guardian and he has given undertaking

to guide properly to the juvenile petitioner and he is also ready and willing to maintain and take care of the juvenile petitioner properly. It is submitted that there is no adverse remark against the petitioner in the Social Investigation Report submitted by the Probation Officer. It is further submitted that the juvenile petitioner has no criminal antecedent and the juvenile petitioner is in custody since 09.09.2024 and hence, the juvenile petitioner may be enlarged on bail.

5. On the other hand, learned counsel for the State has opposed the prayer for bail and submitted that juvenile petitioner has already confessed his involvement in cheating and cyber crime which is evident from the confessional statement of the petitioner. It is further submitted that the several witnesses, as mentioned in the case diary, have supported the allegations and seizure of incriminating articles from the petitioner. It is submitted that several mobile sims were recovered and seized from the possession of the petitioner from which the petitioner has made call to random numbers for call snooping/mobile phishing. It is further submitted that two victims have been traced out, who have given statement that they have been cheated of Rs. 15,000/- and Rs. 4770/- respectively through the mobile sim no. 6201767618 which was recovered and seized from the juvenile petitioner. It is submitted that the petitioner has one criminal antecedent of similar nature and hence, the prayer for bail of the juvenile petitioner may be rejected.

6. Perused the F.I.R, Lower Court Records of this case and considered the submissions of learned counsel for both the sides.

7. It appears that the juvenile petitioner has named in the F.I.R for committing cyber fraud.

8. From perusal of the impugned judgment passed by the

learned Court below, it appears that the bail of the juvenile petitioner was rejected on the ground that the complaints were found registered against the mobile number recovered from the possession of the petitioner and at that time, investigation of the police was going on.

9. Learned Appellate Court has also observed that the release of the petitioner on bail would expose him to moral, physical and psychological danger.

10. From the submission made by the learned counsel for the State, it appears that the petitioner had cheated two victims for a sum of Rs. 15,000/- and Rs. 4770/- respectively.

11. It also appears that the petitioner is also in custody since 09.09.2024 and has been remanded in this case on 10.09.2024.

12. Considering the custody of the juvenile petitioner and also considering the fact and circumstances of this case, the juvenile petitioner namely Rajesh Kumar Das is directed to be released in care and custody of his father on bail on furnishing his bail bonds of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned Principal Magistrate, Juvenile Justice Board, Deoghar in connection with Deoghar Cyber P.S Case No. 93 of 2024 (corresponding to Inquiry No. 205 of 2024) subject to the condition that one of the bailors must be the blood relation of the petitioner and the juvenile may be handed over in custody of his father, and the father shall furnish his Aadhar Number and his Mobile Number before the Court below and shall produce the petitioner before the learned Court below as and when required before the learned Court below and subject to the condition that they will not leave the jurisdiction of the Civil Courts, Deoghar without prior permission of the learned Court below and also subject to the condition that the father of the juvenile petitioner

shall file an undertaking that the juvenile petitioner will not indulge in such type of crime in future, failing which, the prosecution will be at liberty to take steps for cancellation of his bail.

13. Accordingly, the judgment dated 01.11.2024 passed by Sri Rajeev Ranjan, learned Vacation Judge-cum-Children Court, Deoghar and the order dated 30.09.2024 passed by learned Principal Magistrate, Juvenile Justice Board, Deoghar in connection with Deoghar Cyber P.S Case No. 93 of 2024 (corresponding to Inquiry No. 205 of 2024) are set aside.

14. Thus, Cr. Revision No. 1202 of 2024 is allowed.

15. Let a copy of this order be sent to the Superintendent of Police, Deoghar.

(Sanjay Prasad, J.)

Avinash/