

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25939 of 2026

Arising Out of PS. Case No.-13 Year-2026 Thana- Cyber P.S. District- Sheikhpura

1. Ashok Yadav @ Kailu Yadav S/O Chando Yadav R/O Village- Ambari, P.S- Shekhopur Sarai, Distt.- Sheikhpura.
2. Amit Kumar @ Golu S/O Vijay Yadav R/O Village- Ambari, P.S- Shekhopur Sarai, Distt.- Sheikhpura.
3. Sakaldev Yadav @ Sako Yadav S/O Radhe Yadav R/O Village- Ambari, P.S- Shekhopur Sarai, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. (CCSU) Cyber Crime Security Unit, through S.P., Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Nandan Prasad, Adv.
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP
For the CCSU	:	Mr. V.N.P. Sinha, Sr. Adv.
		Mr. Vijay Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 17-08-2026 Heard learned Advocate for the petitioners, learned Advocate for the State and learned Advocate for the Cyber Crime Security Unit (for short 'the CCSU').

2. The petitioners apprehend their arrest in connection with Sheikhpura Cyber P.S. Case No.13 of 2026 registered for the offences punishable under Sections 318(4), 319(2), 336(2), 336(3), 262, 3(5) of the BNS, 2023 and Section 66C and 66D of the I.T. Act, 2000.

3. Acting on a tip-off regarding the alleged involvement of certain persons in cyber fraud, the police



conducted raid. However, on noticing the police party, out of the seven accused persons, three managed to flee from the spot, while the remaining four were apprehended. During the course of search, mobile phones and other incriminating materials, including motorcycles allegedly used by the accused persons, were recovered. The apprehended accused persons disclosed the names of the petitioners. It further transpired during investigation that the accused persons were allegedly involved in duping innocent persons by creating fake identities. Allegations of blackmailing by recording obscene photographs were also levelled against them.

4. Learned Advocate appearing for the petitioners submitted that, save and except the disclosure made by the apprehended accused persons regarding the petitioners having allegedly fled from the spot, there is nothing on record to suggest that any incriminating material has surfaced suggesting the complicity of the petitioners in the alleged offence. There is no compliance of Sections 103(4) and 105 of the BNSS. Moreover, none of the apprehended accused persons disclosed even the mobile numbers of the petitioners, nor has the police, during the course of investigation, found that the mobile numbers of the petitioners were used in connection with any cyber fraud. It is further contended that petitioner no. 2 has a



clean antecedent, whereas petitioner nos. 1 and 3 have one criminal antecedent each, though in cases of a different nature. The petitioners undertake to cooperate with the investigation and to make themselves available before the Investigating Officer as and when required.

5. On the other hand, learned Advocates appearing for the State and the CCSU vehemently opposed the prayer for anticipatory bail and submitted that the petitioners had succeeded in fleeing from the place of occurrence and, as their mobile numbers could not be ascertained, the Investigating Officer has not yet been able to arrive at a definite conclusion regarding their participation in the alleged cyber fraud. It is, therefore, submitted that their custodial interrogation may be necessary for the purpose of a fair and effective investigation.

6. Having considered the submissions advanced by learned Advocates for the respective parties and taking into consideration the materials available on record, this Court is inclined to accede to the prayer of the petitioners for grant of anticipatory bail.

7. Accordingly, the petitioners are directed to appear before the Investigating Officer within one week from today along with their respective mobile phones and to extend all possible cooperation and assistance so as to enable the



Investigating Officer to complete the investigation with regard to their alleged complicity in the crime. Non co-operation of the petitioners, may give rise to the I.O./Informant to file an application for cancellation of bail.

8. It is made clear that, in the event any incriminating circumstance or material surfaces against the petitioners during the course of investigation, the Investigating Officer shall bring the same on record and file the charge-sheet in accordance with law.

9. Let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Sheikhpura in connection with Sheikhpura Cyber P.S. Case No.13 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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