

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1406 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- Cyber P.S. District- Nawada

Avinash Kumar S/O Mahendra Singh Village- Sorhipur PS- Warsaliganj
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 4798 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- Cyber P.S. District- Nawada

Chhotu Sharma S/O Late Saudagar Mistry R/O Vill.-Khutani Chak, P.S.
-Kadirganj, Dist-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 7143 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- Cyber P.S. District- Nawada

Vikash Kumar @ Karu S/o- Ajay Singh Village- Maranchi PS-Maranchi
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 1406 of 2025)
For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP
(In CRIMINAL MISCELLANEOUS No. 4798 of 2025)
For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP
(In CRIMINAL MISCELLANEOUS No. 7143 of 2025)
For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**



ORAL ORDER

3 21-03-2025 Today the present matters have been listed under the heading “To be Mentioned” for grant of provisional bail to the petitioner, namely, Vikash Kumar @ Karu in Cr. Misc. No. 7143 of 2025 on account of the death of his grand-father.

2. At the outset, learned Senior counsel appearing on behalf of the petitioner Vikash Kumar @ Karu in Cr. Misc. No. 7143 of 2025 submits that the grand-father of the petitioner died on 10.03.2025 and therefore, the petitioner may be released on provisional bail.

3. However, in the interest of justice, this Court is of the opinion to consider the bail of the petitioners on merit.

4. At this stage, learned Senior Counsel appearing on behalf of the petitioner Vikash Kumar @ Karu in Cr. Misc. No. 7143 of 2025 prays to withdraw the interlocutory application.

5. Permissions is accorded. Accordingly, the I.A. No. 1 of 2025 in Cr. Misc. No. 7143 of 2025 is dismissed as withdrawn.

6. Heard learned counsel for the petitioners and learned APP for the State.

7. The petitioners seek bail in connection with Cyber P.S. Case No. 62 of 2024 instituted for the offences under Sections 303(2), 318(2), 318(4), 338, 319(2), 336(2), 336(3),



340(2), 111, 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 66, 66(B), 66(C), 66(D) of the I.T. Act.

8. Prosecution story, in short, is that, police busted a cyber fraud gang involved in online courier scams using UPI and QR codes and apprehended fifteen accused persons including the petitioners. It is further alleged that several mobile phones and data sheets were also seized from the accused persons.

9. Learned Senior Counsel appearing on behalf of the petitioner, namely, Avinash Kumar in Cr. Misc. No. 1406 of 2023 and petitioner, namely, Vikash Kumar @ Karu in Cr. Misc. No. 7143 of 2025 submits that petitioners are innocent and have falsely been implicated in the present case merely on the basis of suspicion. Learned Senior Counsel further submits that general and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Learned Senior counsel further submits that two mobiles phones have been recovered from each of the petitioners. Learned Senior counsel further contends that it is evident that no financial transaction was made in the account of the petitioners. He further submits that co-accused Gautam Kumar has already been granted bail by the learned counsel



below against whom there was evidence that financial transaction took place through his mobile phone. It is next submitted on behalf of the petitioners that the petitioners are in custody since 16.10.2024 and have no criminal antecedent.

10. Learned counsel for the petitioner, namely, Chhotu Sharma in Cr. Misc. No. 4798 of 2025 submits that petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. Learned counsel further submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further contends that it is evident that no financial transaction was made in the account of the petitioner. He further submits that co-accused Gautam Kumar has already been granted bail by the learned counsel below itself. It is next submitted on behalf of the petitioner that the petitioner is in custody since 16.10.2024 and has no criminal antecedent.

11. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

12. Considering the aforesaid facts and circumstances of the case, there being no specific allegation against the



petitioners as also there being no financial transactions to support the allegation against them and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

13. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Cyber P.S. Case No. 62 of 2024.

(Rudra Prakash Mishra, J)

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