

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11858 of 2025

Arising Out of PS. Case No.-47 Year-2024 Thana- Cyber P.S. District- Nalanda

Gulshan Kumar S/o- Sanjiv Ram @ Sanjib Ram Resident of Village- Chhoti
Pahari, Mausur Nagar, P.S.- Sohsarai, Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shivendu Kumar S/O Ravindra Pandey R/O Village - Dihari, P.S. Dihari,
District- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kant Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

5 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Cyber
P.S. Case No. 47 of 2024 instituted for the offences under
Sections 409, 420, 466, 467, 468, 419, 474, 477A, 120B of the
Indian Penal Code and Sections 66(b), 66(c), 66(d) of the IT
Act.

3. The prosecution case, in brief, is that accused Sunny
Sangum fraudulently requested cash withdrawal of ₹11,47,000/-
through merchant account No. 200346884552. Upon
verification, multiple merchants reported irregularities, leading
to the blocking of his account and issuance of notice, to which



he failed to respond.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused. Learned counsel further submitted that there is a delay of six months in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.07.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that embezzled amount in question was transferred to the account of this petitioner and therefore, his direct involvement in the alleged offence is established and he does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also there being transfer of the misappropriated amount in the account of this petitioner and therefore his



involvement in the alleged offence cannot be discarded and hence, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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