

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18887 of 2025

Arising Out of PS. Case No.-173 Year-2024 Thana- Cyber P.S. District- Gaya

MOHIT KUMAR S/O ARUN KUMAR RESIDENT OF VILLAGE- GARH
PAR, NEAR IMAMBARA, PS- NAWADA, DIST- NAWADA

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 13410 of 2025

Arising Out of PS. Case No.-173 Year-2024 Thana- Cyber P.S. District- Gaya

Rahul Kumar S/o- Shankar Prasad Village- Chhotki Nawada Ps- Delha Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 19844 of 2025

Arising Out of PS. Case No.-173 Year-2024 Thana- Cyber P.S. District- Gaya

Nishant Kumar @ Nissant Kumar S/O Hari Shankar Prasad @ Hari Shankar
R/O Vidya Babu Lane Telbigaha, P.S- Kotwali, Distt.- Gaya. Presently residing
at D-171, D Block, Gali No.-5, Ganesh Nagar, Pandav Nagar Complex,
Akshardham, Delhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 18887 of 2025)
For the Petitioner/s : Mr. P.N. Shahi, Sr. Adv.
Mr. Anshul, Sr. Adv.
Mr. Sumit Kr. Singh, Adv.
Ms.Alka Singh
For the Opposite Party/s : Mr.Umeshanand Pandit
Mr. Jharkhandi Upadhyay
(In CRIMINAL MISCELLANEOUS No. 13410 of 2025)
For the Petitioner/s : Mr.Sunil Kumar Yadav



For the Opposite Party/s : Mr.Satya Nand Shukla
Mr. Jharkhandi Upadhyay
(In CRIMINAL MISCELLANEOUS No. 19844 of 2025)
For the Petitioner/s : Mr. P.N. Shahi, Sr. Adv.
Mr. Anshul, Sr. Adv.
Mr. Sumit Kr. Singh, Adv.
Ms.Alka Singh
For the Opposite Party/s : Ms.Renu Kumari
Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 13-05-2025 **Re:- Cr. Misc. No. 18887 of 2025 and Cr. Misc. No. 19844 of 2025.**

Heard learned senior counsels for the petitioner of both the cases and learned APP for the State.

2. In compliance of the order of this Court, the Deputy Superintendent of Police, Cyber Crime, Gaya and the Investigating Officer of Gaya Cyber P.S. Case No. 173 of 2024 have appeared in the Court today.

3. The petitioners seek bail in connection with Gaya Cyber P.S. Case No. 173 of 2024 registered for the offence under Sections 318(4), 319(2), 336(3), 338, 340(2), 111 and 61(2) of the BNS and under Sections 66© and 66 (D) of the I.T. Act.

4. As per the prosecution case, on 30.11.2024, the informant received information from the S.H.O., Cyber Police Station, Gaya, that a cyber gang was operating in Gaya and defrauding people in the name of providing benefits through AEPS and other government schemes. Upon the information,



details were extracted from the National Cyber Crime Reporting Portal and it has come to the notice that three complaints bearing numbers 30509240037152, 30511240054349, and 33109210047990 had been registered against mobile number +91-7033257373. Thereafter, on the same day, at about 06:00 P.M., the informant reached the office of Paynol Solutions Pvt. Ltd. and inquired about the allegations from the company's director Nishant Kumar. He disclosed that he, along with one Rajesh Kumar and Mohit Kumar , was operating the company and its call centre. Further, when the informant requested to produce the documents related to the company, the accused provided a service agreement dated 25.09.2020 between One Mobikwik Systems Pvt. Ltd. and Paynol Solutions Pvt. Ltd. However, when asked for documents concerning the establishment of the company's office in Gaya, no satisfactory answer was given to the informant.

5. It is further alleged that seeing the police, crowd gathered at the office of Paynol Solutions Pvt. Ltd. but no one was ready to become the witness. Consequently, two police personnel became independent witnesses. During the search, one HP laptop and two Dell laptops were seized from the company's office. Additionally, an Apple Company mobile



bearing no.-9873419141 was recovered from Nishant Kumar, another Apple Company mobile bearing no. 8269021818 was recovered from Mohit Kumar and a Samsung Company mobile was recovered from the possession of Shishya Wardhan, Manager of the company. Apart from these, 33 mobile numbers were also recovered from the possession of employees of the company.

6. It is further alleged that when the cyber police checked the National Cyber Crime Reporting Portal, they found that total 36 complaints have been registered across India against 20 mobile numbers which were recovered from the office of Paynol Solutions Pvt. Ltd and the employees of the company have stated that the alleged mobile numbers were provided to them by the company. Furthermore, the company's directors, Nishant Kumar and Mohit Kumar, were questioned about the source of these mobile numbers and their distribution to employees, but they failed to provide a satisfactory response. The directors of the company have also informed the police that the company holds an account with Yes Bank, bearing Account No. 069463400000484 and upon inquiry, it was also found that two complaints have been registered against the said bank account.



7. It is further alleged that after obtaining evidence of cyber fraud, articles were seized and Nishant Kumar (Director), Mohit Kumar (Director), Shishya Wardhan (Manager), along with 33 other employees of the company, were arrested. The directors of the company have also disclosed that Rajesh Kumar, Sonal Kumari, and Aarti Raj are also associated with this office but are not present right now.

8. The Dy. S.P. and the I.O., who have appeared personally in this Court have explained the modus operandi of the fraud being committed by the petitioners and his company. As per the police, a huge cyber fraud was being committed by the company and its employees and a number of complaints regarding the same was referred on the government portal. Pursuant to the complaints on the government portal, the investigation began and the name of the petitioners, who are the main accused and directors of the company, has surfaced in this case.

9. The petitioners are in custody since 1.12.2024.

10. The defence of the petitioners is that they are running a company and are doing business and some of their clients have made complaint against them and without accepting their guilt, the petitioners are ready to make good their loss.



11. Learned counsel for the State has opposed the application of the petitioner for grant of bail.

12. I have heard and considered the submissions of the parties.

13. The cyber fraud was being committed by opening a call center by the petitioners by employing the local boys and girls. The petitioners have cheated a large number of people out of which some have complained against the petitioners.

14. The police, after investigation, has submitted charge-sheet, finding the case to be true.

15. In view of the above, this Court is not inclined to grant bail to the petitioners.

16. Accordingly, both the bail applications, as mentioned above, are dismissed.

Re:- Cr. Misc. No. 13410 of 2025.

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

17. The petitioner seeks bail in connection with Gaya Cyber P.S. Case No. 173 of 2024 registered for the offence under Sections 318(4), 319(2), 336(3), 338, 340(2), 111 and 61(2) of the BNS and under Sections 66© and 66 (D) of the I.T. Act.



18. As per the prosecution case, the petitioner is the employee of the company and he used to make fraudulent calls to cheat the people.

19. The petitioner is in custody since 1.12.2024.

20. Considering the fact that the petitioner is involved in the cyber fraud, this Court is not inclined to grant bail to the petitioner.

21. Accordingly, this application is dismissed.

22. The Dy. S.P., Cyber Crime, Gaya has assured this Court that she will see to it that the trial of the accused persons of this case is not delayed.

23. Since the aforesaid cases have been disposed of, the personal appearance of the police officials is also dispensed with.

(Sandeep Kumar, J)

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