

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14773 of 2025

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

1. Nishant Kumar @ Nisant Kumar Son of Birendra Paswan @ Birendra Prasad R/O-Vir Kuwar Singh Colony, Road No. 13, PS- M.M.C.H. District -Gaya
2. Gaurav Kumar Sono f Titalesh Prasad Singh R/O-Vir Kuwar Singh Colony, Road No. 13, PS- M.M.C.H. District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. Mr. Rakesh Kumar Sharma, Adv.
For the Opposite Party/s	:	Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Cyber P.S. Case No. 173 of 2024 instituted for the offences under Sections 318(4), 319(2), 336(3), 338, 340(2), 111, 61(2) of the B.N.S. and Section 66(C), 66(D) of the I.T. Act.

3. As per prosecution case, the accused persons including the petitioner were running a call center in the name of Paynol Solution Pvt. Ltd. and were committing Cyber fraud.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as



alleged against them and have falsely been implicated in the present case. The petitioners have not committed any offence as alleged in the F.I.R. The petitioners are the low paid employee of the company, in question, and they have nothing to do with the Cyber crime as they were working on the direction of the head of the Company. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioners and they have no concern with the seized articles. The petitioners have no criminal antecedent and are languishing in judicial custody since 01.12.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged against the petitioners is serious in nature. He further submits that the prayer for bail of the co-accused namely Amit Sharma @ Amit Kumar has already been rejected by a Co-ordinate Bench of this Court vide order dated 19.02.2025 passed in Cr. Misc. No. 9423 of 2025. The prayer for bail of the co-accused Yash Raj has also been rejected by a Co-ordinate Bench of this Court vide order dated 19.02.2025 passed in Cr. Misc. No. 9598 of 2025. The petitioners are named in the F.I.R. and, hence, they do not



deserve bail.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, the prayer for bail of the petitioners, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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