

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18899 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- Cyber P.S. District- Nawada

Saurabh Mahto, aged about 25 years (Male), S/O Shravan Mahto, R/O Vill.-
Bhawani Bigha, P.S.- Warsliganj, Dist.- Nawada.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. A.K. Thakur, Advocate and Mrs. Vaishnavi Singh, Advocate
For the Opposite Party	:	Mr. Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Cyber P.S. Case No. 68 of 2024 dated 08.12.2024 registered for the offences punishable under Sections 303(2), 318(2), 318(4), 338, 319(2), 336(2), 336(3), 340(2), 111 and 61(2) of the B.N.S.

3. As per the prosecution case, the police arrested the petitioner and other co-accused persons and recovered three mobile phones and Wi-fi Dongal from the possession of the petitioner and mobiles and motorcycle were recovered from the possession of other co-accused persons. It is further alleged that on search, Whatsapp chat regarding fraud was found. Later on,



the co-accused persons disclosed that the petitioner along with other co-accused persons were involved in committing fraud in the name of giving franchise.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that if four persons including the petitioner threw their phones etc., in the pond, then how the police have alleged that from the possession of the petitioner, mobiles alongwith the dongal were recovered. It is further submitted that even as per the seizure list of the petitioner, the alleged recovered mobile phones does not contain any of the suspected mobile number as mentioned in the F.I.R. It is further submitted that during the entire investigation, no witness has come forward to state that he was cheated by the petitioner or by his mobile number. The petitioner after completing his matriculation, started working as a freelance driver to support his family and earlier he was working in West Bengal, but thereafter, he came back to his village and started working for one Suraj Kumar since last two years. The petitioner has no concern with the alleged offence. The other co-accused Jyotish Kumar has already been granted bail by a Bench of this Court vide Cr. Misc. No. 14214 of 2025 under order dated



21.03.2025. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that three mobiles and Wi-Fi Dongal were recovered from the possession of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Nawada in connection with Cyber P.S. Case No. 68 of 2024, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

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(Chandra Prakash Singh, J)

