

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17966 of 2025

Arising Out of PS. Case No.-573 Year-2024 Thana- RAJGIR District- Nalanda

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Santosh Kumar, Son of Rajaram Singh, R/o village - Pain, P.S. and District -
Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Swarna Roy, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Rajgir P.S. Case No. 573 of 2024, registered for the alleged offences under Sections 316 (2), 319 (2), 318 (4), 303 (2), 336 (2), 338, 336 (3), 61 of BNS, 2023 and Sections 66C and 66D of the Information Technology Act.

3. As per prosecution case, police received information about 7-8 persons using an Ertiga Four Wheeler vehicle for going from Rajgir to Nawada and they were members of cyber crime gang. The said vehicle was intercepted and the petitioner and other co-accused persons have been apprehended. From the search of the petitioner, recovery of two mobile phones were made. Similar type of recovery was made



from the other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no material to show the involvement of the petitioner in cyber crime. Nothing incriminating has been recovered from the person/possession of this petitioner. No material has come up on record to show that the mobile number used by the petitioner was found involved in cyber crime activity. The only mobile number allegedly used in cyber crime was found in possession of co-accused Alok Kumar, who has been granted bail by a Coordinate Bench of this Court vide order dated 19.03.2025 passed in Cr. Misc. No.13445 of 2025. The other similarly placed co-accused persons, namely Gaurav Kumar, Satyam Kumar and Nitish Kumar have been granted bail by the same Coordinate Bench of this court vide order dated 19.03.2025 passed in Cr. Misc. No.13693 of 2025. The learned counsel further submits that the petitioner is in custody since 21.12.2024 and charge sheet has been submitted. The petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and



submissions made hereinabove and considering the distinct lack of substantive material to connect the petitioner with the offences as alleged and further considering the period of custody of the petitioner and submission of charge sheet along with his clean antecedent, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Biharsharif, Nalanda/court concerned, in connection with Rajgir P.S. Case No. 573 of 2024, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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