

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18774 of 2025

Arising Out of PS. Case No.-78 Year-2024 Thana- Cyber P.S. District- Nawada

Shubham Raj @ Shubham Kumar S/O Subhash Kumar Village- Atauwa, PS-
Kadirganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Adv.

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

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

ORAL ORDER

3 01-07-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Nawada Cyber P.S. Case No. 78 of 2024 instituted for the
offences under Sections 303(2), 318(2), 318(4), 338, 319(2),
336(2), 336(3), 340(2), 111, 61(2) of the B.N.S., 2023 and
Sections 66, 66B, 66C, 66D of the I.T. Act.

3. As per prosecution case, the accusation against the
petitioner is of being involved in the Cyber fraud. It is alleged
that the police raided the premises searching for the suspected
mobile phone based on tower location and the number was
recovered from the phone belonging in the custody of the
petitioner. It is further alleged that several complaints of cyber



fraud have been found to be registered against the said suspected mobile number recovered from the possession of the petitioner. Other mobile phones were also seized from the petitioner and another accused person bearing different mobile numbers.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. The petitioner is the friend of co-accused Shubham Kumar. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that the co-accused Guddu Kumar has already been granted bail by the learned court below on 28.01.2025 and the case of the petitioner is on similar footing to that of Guddu Kumar. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 25.12.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Shubham Kumar has been granted



bail by this Court vide order dated 10.04.2025 passed in Cr. Misc. No. 19682 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The petitioner has also confessed his guilt of being involved in the Cyber crime.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawada Cyber P.S. Case No. 78 of 2024.

(Rudra Prakash Mishra, J)

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