

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19682 of 2025

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

Shubham Kumar S/O Gopal Singh R/O Vil.- Kendua, P.S.- Mufasil, Dist.-
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Singh, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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

ORAL ORDER

2 10-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with 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 crime. It is alleged
that the police, on receipt of secret information, raided at the
house and apprehended the accused persons including the
petitioner. On search, it was found that the suspected mobile no.
9264288638 for which he had gathered information was in the



SIM slot one of grey Redme 5G mobile was hidden in the workshop of the petitioner and the same was seized by the police. Other mobile phones were also seized from the petitioner and another accused person bearing different mobile numbers and seizure list was prepared.

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 Raj. 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. 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 as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, 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 Cyber P.S. Case No. 78 of 2024.

(Rudra Prakash Mishra, J)

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