

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23234 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- Cyber P.S. District- Lakhisarai

Shishupal Kumar, aged about 26 years (M), S/o Siyaram Singh, resident of
Village- Rewra, P.S.- Kashichak, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. D. K. Sinha, Senior Advocate

Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 23-07-2025 Heard Mr. D. K. Sinha, learned senior counsel for the

petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner seeks bail in connection with
Lakhisarai Cyber PS Case No.05 of 2025 dated 20.01.2025,
instituted for the offence punishable under Sections 318(4), 319
of the *Bharatiya Nyaya Sanhita*, 2023 and Section 66C/66D of
the Information Technology Act.

3. The prosecution case, in brief, is that complaints
were received on the Centralized Portal from several persons
against mobile no. 8583936510 regarding cyber fraud upon
which it was kept under vigil by the Cyber Police Station. On
20.01.2025, the said mobile number was found active at Pachna



Road within Kabaiya Police Station. On such information, the police force proceeded for tracking the aforesaid mobile number and reached near the Main Road of Pachna. The police team found a person sitting in the field and he started fleeing away on seeing the police. He was chased and caught and he disclosed his name as Shishupal Kumar (petitioner) and also confessed that he used to cheat the people through phone calls in the name of providing loan as also by displaying advertisement on Face Book. He also admitted that he used to obtain documents from the public in the name of KYC for opening forged accounts for keeping the money of forgery. From his possession, three different mobiles phones of POCO company were recovered in which Aadhar of several persons, PAN, Xerox copy of Pass Book, QR Code for payment, screenshot with regard to transaction of money as well as data sheet were found.

4. Learned senior counsel for the petitioner submits that from the impugned order itself it will appear that there is allegation that Rs.6910/- was being cheated from the people through mobile no. 8583936510. Learned counsel further submits that the police has recovered three mobiles from the possession of the petitioner but there is mention of only one mobile number which was used for cheating. Further



submission is that the petitioner is a student of Bachelor of Arts having bright carrier. During investigation, nothing cogent and legal material has come against the petitioner. No one has claimed about any cheating or fraud having been committed by the petitioner. Lastly, it is submitted that the petitioner is in custody since 21.01.2025 and two cases are pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai, in Lakhisarai Cyber PS Case No.05 of 2025, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in



any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail, and (v) that the petitioner within two weeks after his release from the judicial custody shall appear before the SHO of local PS along with a copy of this order and thereafter shall appear every fortnightly before him to mark his attendance till the framing of charge in the present case.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

U		T	
---	--	---	--

