

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24296 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- GRIYAK District- Nalanda

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Akhilesh Kumar Son of Vishuvnath Prasad @ Vishunath Prasad @
Vishwanath Prasad Resident of Village - Govardhan Bigha, Police Station -
Katrisarai in the district of Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 28-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Vide earlier order dated 22.05.2025, the
Investigating Officer was directed to be physically present along
with the case diary. Today, the Investigating Officer is present
and case diary has been received and the same is being taken on
record.

3. The petitioner seeks bail in a case registered for the
offence punishable under Sections 318(4), 319(2), 336(3), 338,
339, 340(2), 341(1), 342(1), 3(5), 61(2) of the Indian Penal
Code, Section 37 of the Excise Act and Section 66(c)/66(d) of
I.T. Act.

4. The prosecution case is that the petitioner and



others were engaged in cyber crime through mobile phones and upon receiving such information, the police raided the place where the accused persons were celebrating a liquor party and apprehended the petitioner along with other co-accused persons.

5. Learned counsel for the petitioner submits that the petitioner was only present at the place of occurrence and a mobile is said to have been recovered from his possession but the said mobile phone is not a subject matter of any complain by any private person or on the complaint portal. So far as the allegation of liquor is concerned, the same is not attracted as against the petitioner and except the mobile phone which belongs to the petitioner himself, no other incriminating article was recovered from his possession. It has also been submitted that seizure list has also been signed by the members of the raiding party and hence, the mandatory provisions of search and seizure have also been violated. Further, the attention of the Court has also been invited to the fact that three of the accused persons who have been named along with the petitioner in the First Information Report and are similarly situated to the petitioner have been granted bail vide orders dated 08.05.2025, 28.04.2025 and 07.05.2025 passed in Cr. Misc. Nos. 31027 of 2025, 26394 of 2025 and 30761 of 2025 respectively. The



petitioner is in custody since 15.02.2025 with no criminal antecedent and charge-sheet has been submitted in the case.

6. Learned APP for the State has opposed the application for bail.

7. Considering the facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Giriak (Katrissarai) P.S. Case No. 64 of 2025.

8. The personal appearance of the Investigating Officer is dispensed with.

(Soni Shrivastava, J)

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