

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46289 of 2025

Arising Out of PS. Case No.-83 Year-2024 Thana- Cyber P.S. District- Nalanda

Sonu Kumar S/O Surendra Prasad Swarnkar Resident of Bangalipur
Sheikhpura, P.S- Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Nabin Kumar, Advocate
	Mr. Mithlesh Prashad Singh, Advocate
For the Opposite Party/s :	Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-08-2025 1. Heard learned counsel for the petitioner and Mr.
Chandra Bhushan Prasad, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 316(2), 319(2), 318(4), 338, 336(3), 340(2), 339 and 61 of the BNS as well as Sections 66, 66(B), 66(C) and 66(D) of the I.T. Act.

3. Learned counsel for the petitioner submits that the defects, as pointed out by the office, shall be removed in course of the day. It is further submitted that petitioner is a person with clean antecedent and the informant alleges that he received information that one Gulsan Patel along with his friends has come to the house of one Bhushan Prasad and are engaged in committing cyber offence and are in possession of mobile phones and documents relating thereto, accordingly, the



informant along with the force reached the place of occurrence, thereafter a search was conducted and the same was videographed and during the search Gulsan Patel was found in possession of three mobile phones of different companies including an I-phone with sim card. Further, from bag of Gulsan Patel different mobiles having different EMI numbers was also recovered and a yellow colour diary was recovered wherein details of Rs.40,49,689.00/- was recorded.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name transpired during the course of investigation in the confessional statement of Gulsan Patel in police custody which does not have any evidentiary value in the eye of law. It is further submitted that petitioner is a student and if he is sent to custody his entire career would be jeopardized and chances are bright that he may come in contact with the hardened criminals.

5. Mr. Chandra Bhushan Prasad, learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt the name of the petitioner transpired in the confessional statement of Gulsan Patel but then the allegation is of committing cyber offences. It is further submitted that no doubt, at para 8, it has been pleaded that



petitioner is a student and is preparing for competitive examination but then no documentary evidence has been brought on record to suggest that petitioner after completing his studies is preparing for competitive examination. It is next submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond on which learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Nalanda Cyber P.S. Case No. 83 of 2024, G.R. No. 5830 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. One of the bailors of the petitioner shall be his father, namely, Surender Prasad Swarnkar.



8. It is made clear that if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is further made clear that if charge-sheet is submitted connecting the petitioner with the offence apart from confession in that event also the present anticipatory bail order shall lose its force.

10. Let a copy of this order be communicated to the concerned police station through the learned trial court.

(Satyavrat Verma, J)

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