

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32142 of 2025

Arising Out of PS. Case No.-27 Year-2024 Thana- Cyber P.S. District- West Champaran

Sonu Kumar, Son of Surendra Mukhiya, Resident of village - Budhwalia,
Police Station - Nautan, District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Bashishtha Narayan Mishra, Advocate Mr. Sachida Nand Rai, Advocate
For the State	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 01-09-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Bettiah Cyber P.S. Case No.27 of 2024, dated-28.08.2024 registered for the offences punishable under Sections 303(2), 318(4), 319(2), 336(2), 336(3), 340(2), 61(2) of the Bharatiya Nyaya Sanhita and 66, 66(B), 66(C), 66(D), 84(C), 84(B) of the Information Technology Act.

3. As per allegation, the police got information that the co-accused, Noor Alam commits cyber crime regularly. On such information, police reached at the Government Basis School, where two persons were found sitting, but only the co-accused, Noor Alam was arrested with some mobile phones, sim cards and ATM cards which were recovered from his possession. However, the other co-accused had fled away and as



per the statement of the co-accused, who was arrested on the spot, the petitioner was also sitting with him.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the allegation of cyber crime is general and omnibus in nature and there is no allegation of any specific cyber crimes except recovery of mobile phones and ATM cards from the possession of the co-accused. He further submits that the name of the Petitioner has transpired in the confessional statement of the co-accused, who was apprehended by the police. He further submits that the Petitioner has nothing to do with any crime at all, in fact, he is 24 years old and studies in college.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named,



to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Cyber P.S. Case No.27 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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