

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27880 of 2025

Arising Out of PS. Case No.-13 Year-2023 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Chandan Kumar Son of Shashi Bhushan Prasad @ Gorelal Prasad R/o Village
- Parwati, P.S.- Kashichak, Dist.- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar Through Superintendent of Police. Bihar
2. Economic Offence Unit Bihar, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate
For the State	:	Mr. Ajay Mishra, APP
For the Opposite Party	:	Mr. V.N.P. Sinha, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 29-08-2025 Heard Mr. Anshul, learned Senior counsel for the

petitioner and Mr. V.N.P. Sinha, learned Senior counsel

representing the opposite party no. 2, the Economic Offense Unit,

Bihar Patna.

2. The petitioner is in judicial custody in connection

with Economic Offences P.S. Case No. 13 of 2023 for the offence

punishable under Sections 419, 420, 467, 468, 471 and 120(B) of

the Indian Penal Code and 66(C) and 66(D) of Information

Technology Act, 2000 lodged on 27.9.2023 by the informant,

Mithilesh Kumar.

3. As per the prosecution story, the Police Inspector of

the EOU, Bihar, Patna on reliable information about cyber crime



related to STET examination where the group used to manage the entire affairs, picked up the accused persons after forming special team and found that while Shisupal Kumar and Kanhaiya Prasad run the gang of cyber fraud, are being ably supported by Subodh Rout, Chandan Kumar (petitioner herein), Gautam Sah (shopkeeper selling SIM), a Momos seller, Priyanshu Kumar and Himanshu Kumar. They used to extort the common people.

4. Further, upon interrogation of Shisupal Kumar, the entire story came into picture, documents seized which shows the number, date of birth, subject and center of the candidates. The other recovered/seized materials/documents were mobiles of the accused persons including Kanhaiya Prasad and Krishna Murari. Further, when Gautam Sah was picked up from the house, Chandan Kumar (petitioner herein) escaped. Upon access of the mobile of Gautam Sah it was found that cyber fraud committed by the accused persons and one of the victim was cheated of Rs. 79,845/-. Accordingly, the FIR.

5. Learned Senior counsel for the petitioner submits that he has no criminal antecedent, is in custody since 28.01.2025, charge-sheet stands submitted, is a young student, has already remained in custody and if granted bail, shall be diligently appearing in trial. The last submission is that some similarly situated persons having granted relief in Cr. Misc. No. 15398 of



2024 (Shyam Sunder vs. The State of Bihar) vide an order dated 17.05.2024 as also Cr. Misc. No. 10770 of 2024 and analogous cases (Krishan Murari vs. The State of Bihar) vide an order dated 12.07.2024.

6. Mr. V.N.P. Sinha representing the opposite party has filed a counter-affidavit and opposing the prayer, it has been submitted that one of the accused, Shishupal Kumar in his confessional statement named this petitioner and alleged that he had played an active role in the alleged crime.

7. Learned Senior counsel for the petitioner submits that Shishupal Kumar is also now on bail vide an order dated 06.09.2024 in Cr. Misc. No. 25172 of 2024.

8. Taking into account the submission of the parties as also that he has no criminal antecedent, is in custody since 28.01.2025, others have been granted relief, as recorded above, in that background, this Court is inclined to extend him the privilege of bail with conditions.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-I, Patna/Successor Court in connection with Economic offence P.S. Case No. 13 of 2023 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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