

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31452 of 2025

Arising Out of PS. Case No.-494 Year-2024 Thana- GRIYAK District- Nalanda

1. Sonu Kumar Son of Randhir Raut R/o Vill- katarisrai, ps- Katarisarai, Dist- Nalanda
2. Raushan Kumar son of Randhir Raut R/o Vill- katarisrai, ps- Katarisarai, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-05-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Giryak, Katarisarai P.S. Case No. 494 of 2024, registered for the offences punishable under Sections 66, 66(c), 66(d) of the IT Act and Sections 316(2), 319(2), 318(4), 338, 336(3), 339, 340(2), 341(1), 3(5) and 61(2) of the BNS, 2023.

3. The police on a tip off cyber fraud has conducted a raid in the house of co-accused Pintu Kumar and Vikrant Kumar. However, noticing the police party, some of the persons, who were also present there, succeeded in fleeing away; out of whom, two petitioners are before this Court. The apprehended persons also disclosed the name of the petitioners as their



accomplice. In course of search, 12 mobile sets, debit cards and pass book of some Banks have been recovered.

4. Learned Advocate for the petitioners contended that admittedly the raid has been conducted in the house of co-accused Pintu Kumar and Vikrant Kumar, where incriminating materials have been recovered. Save and except the disclosure made by the apprehended persons, there are no materials suggesting the complicity of the petitioners in crime. All the more, there is no complaint, whatsoever filed by any of the person against the petitioners. Taking note of the aforesaid facts, one of the co-accused person, namely, Pankaj Kumar has been granted anticipatory bail by the court below itself. The petitioners have neither any concern with co-accused persons nor with the incriminating materials which are said to have been recovered; moreover, the petitioners are men of fair antecedent and they undertake before this Court that they will fully cooperate in the proceeding.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the recovery of incriminating material from the house of co-accused persons, and the petitioners are said to be their accomplice, shows their involvement in the crime.



6. Regard being had to the submissions made on behalf of the parties and considering the fact that no recovery has been made from the whereabouts of the petitioners, coupled with the fair antecedent and the absence of any complaint against the petitioners, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Giriyak, Katarisarai P.S. Case No. 494 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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