

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34600 of 2025**

Arising Out of PS. Case No.-95 Year-2024 Thana- Cyber P.S. District- Bhojpur

Mukesh Kumar @ ATM @ Mukesh S/o- Ravindra Kumar Singh Village-  
Jamira, P.S.- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      04-06-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks regular bail in connection with Bhojpur Cyber P.S. Case No. 95 of 2024, lodged on 06.12.2024, under Sections 316(2), 318(4), 111, 317(2), 317(4), 317(5), 338, 340(1), 340(2), 3(5) and 61(2) of the BNS, 2023.

3. As per the prosecution, F.I.R. has been lodged against unknown accused persons, alleging that they fraudulently kept the informant's ATM card and withdrew Rs. 6,36,531/- from it on different dates.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that the petitioner's name has been implicated in the present case merely on the basis of suspicion, and there is no



cogent material against him. Counsel further submits that the criminal antecedent of the petitioner is not clean, as nine criminal cases are pending against him, and he has been in custody since 20.01.2025.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that the petitioner has fraudulently withdrawn Rs. 6,36,531/- from the informant's account, which she had kept for the marriage of her daughter. It is further submitted that the criminal antecedent of the petitioner is not clean, as he is involved in a series of cases relating to cyber laws. In the present case as well, the allegation pertains to a modus operandi involving violation of cyber laws, whereby money was unlawfully taken from the informant's account.

6. In this background, this Court hereby directs the petitioner to refund a sum of Rs. 3,20,000/- (Rupees Three Lakh Twenty Thousand) to the informant by way of demand draft.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be released on bail, **only upon a refund of Rs. 3,20,000/- (Rupees Three Lakh Twenty Thousand) to the informant/victim**, and on being satisfied by the trial court that the petitioner is not absconding in any of the cases pending



against him, the details of which are mentioned below, as well as on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand), as mentioned under Section 2(1)(d) of the BNSS, 2023, to the satisfaction of C.J.M., Bhojpur at Ara in connection with Bhojpur Cyber P.S. Case No. 95 of 2024, subject to the following conditions laid down under Section 480(3) of the BNSS, as well as with the condition that the petitioner shall appear at the concerned police station every month for one year to mark his attendance.

8. Pending cases against the petitioner are as follows:-

- (i) Ara Nawada P.S. Case No. 222 of 2015
- (ii) Ara Nawada P.S. Case No. 140 of 2018
- (iii) Ara Nawada P.S. Case No. 152 of 2019
- (iv) Ara Nawada P.S. Case No. 123 of 2021
- (v) Ara Nawada P.S. Case No. 156 of 2021
- (vi) Ara Nawada P.S. Case No. 199 of 2021
- (vii) Ara Nawada P.S. Case No. 357 of 2021
- (viii) Ara Nawada P.S. Case No. 85 of 2022
- (ix) Bhojpur Cyber P.S. Case No. 94 of 2024

**(Dr. Anshuman, J.)**

Aman Kumar/-

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