

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35210 of 2025

Arising Out of PS. Case No.-29 Year-2024 Thana- Cyber P.S. District- Sheikhpura

Sonu Kumar S/O Late Ajit Yadav @ Ajeet Kumar Yadav R/O Village-
Bhagvanpur Katri Sarai, P.S- Katri Sarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate
		Mr. Syed. Rizwanul Haque, Advocate
For the Opposite Party/s :		Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-08-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Sheikhpura Cyber P.S. Case No. 29 of 2024 for the offence punishable under section 303(2), 318(2), 318(4), 336(3) and 340(2) of the BNS and 66(C) of the IT Act lodged on 16.09.2024.

3. As per the prosecution story, the police upon information that cyber crime persons are regularly withdrawing money from the ATM of Bank of Maharashtra, raided the place, found this petitioner, upon query, failed to give any satisfactory reply and further informed that though he has withdrawn Rs. 1,00,000/- from the ATM machine, the card does not belong to him. He was taken to the Bank of Maharashtra where it was disclosed by the concerned official that a complaint was there regarding withdrawal and subsequently, it was also found that altogether four complaints are there, number of transactions have



been made between 31.08.2024 to 16.09.2024. This led to the FIR after seizure of the mobile as also the motorcycle of the petitioner.

4. At the outset, Mr. Krishna Pd. Singh, learned senior counsel for the petitioner submits that the petitioner has remained in custody since 17.09.2024 and if granted bail, he shall be diligently appearing in the trial and he is ready to pay Rs. 1,00,000/- (Rs. One lakh) to the informant through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail and submits that the allegation against him is that he withdrew Rs. 1,00,000/- from the ATM machine fraudulently.

6. Though, allegation is there, he has remained in custody since 17.09.2024, has no criminal antecedent, the trial has still not concluded, an undertaking has been given that he shall be diligently appearing in the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 1,00,000/- (Rs. One lakh) to the informant through Demand Draft issued by the local branch of the State Bank of India and the receipt of the same be submitted to the Trial Court.

7. 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 Principal District and



Sessions Judge, Sheikhpura in connection with Sheikhpura Cyber
P.S. Case No. 29 of 2024 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 at the end, the certificate be submitted before the Trial Court;

(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 bond;

(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 bond.

(Rajiv Roy, J)

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