

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34390 of 2025

Arising Out of PS. Case No.-102 Year-2024 Thana- Cyber P.S. District- Gopalganj

Raja Kumar Rai S/O Sri Kameshwar Ray Resident of Village- Baikunthawa,
P.S- Nautan, Distt.- West Champaran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Sager Sharma, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Gopalganj Cyber P.S. Case No. 102 of 2024, lodged on
20.09.2024, under Sections 318(2), 318(4) & 319(2) of the
BNS, 2023 and under Section 66(D) of the Information
Technology Act.

3. As per the prosecution, FIR has been lodged against
the present petitioner and other accused persons with the
specific allegation that, on the petitioner's instigation, money
was deposited into the accounts of the informant and his friend.
However, these accounts were subsequently closed by virtue of
a cyber complaint. Upon receiving this information, the
informant filed the present FIR, alleging that the petitioner is the



wrongdoer and, under his instructions, the money was credited to their accounts, resulting in their accounts being kept at hold.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that nowhere in the entire complaint is it specifically mentioned how the petitioner is involved in the commission of the alleged crime. It is further submitted that neither the petitioner's phone number nor his bank account number is implicated in any of the transactions mentioned in the present FIR. Counsel further submits that the petitioner is completely innocent and has been unnecessarily made an accused in this case. It is further submitted that the petitioner has been in custody since 21.09.2024 and two other criminal cases are pending against him, in which he is presently on bail.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner is the kingpin as per the allegations, as all the money credited to the informant's account and other persons named in the FIR was done under the petitioner's direction, resulting in those accounts being placed on hold due to the cyber complaint. Counsel further submits that the petitioner is alleged to have violated Section 66(D) of the Information Technology Act, under which a fine has already



been imposed.

6. In response, learned counsel for the petitioner submits that the petitioner is willing to deposit Rs. 50,000/- (Rupees Fifty Thousand only) before the Trial Court, subject to the decision in this case.

7. In the present facts and circumstances of the case, and in light of the submissions made above, the petitioner above named is granted bail, on condition that the petitioner shall deposit Rs. 50,000/- (Rupees Fifty Thousand only), subject to the trial of this case, and he is not absconding in Motipur (Muz) P.S. Case No. 218 of 2024 and Muzaffarpur (Cyber) P.S. Case No. 49 of 2024. Further, the petitioner shall furnish bail bonds of Rs. 30,000/- (Rupees Thirty Thousand only), as mentioned under Section 2(1)(d) of the BNSS, 2023, to the satisfaction of the Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Cyber P.S. Case No. 102 of 2024, subject to the following conditions as laid down under Section 480(3) of the BNSS.

(Dr. Anshuman, J.)

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