

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36803 of 2025

Arising Out of PS. Case No.-287 Year-2024 Thana- WARISLIGANJ District- Nawada

Gautam Kumar S/o- Arvind Vishwakarma @ Arvind Mistri Resident of
village- Belapar Chakwao P.s. Warisaliganj District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with Warisaliganj P.S. Case No. 287 of 2024, registered under Sections 319(2), 318(4), 338, 336(3), 340(2), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 66(B) and 66(D) of the IT Act.

3. The prosecution case, in short, is that, police on secret information regarding assembly of cyber criminals, who were cheating innocent persons, raided in the orchard, from where five co-accused persons have been apprehended.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. Learned counsel for the petitioner also submits that the petitioner was neither present at the place of occurrence nor named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. The petitioner has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 10.01.2025 passed in Cr. Misc. No. 80366 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused person. It is further submitted that the petitioner bears two criminal antecedents of similar nature. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and criminal antecedents, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall



consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

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