

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36925 of 2025

Arising Out of PS. Case No.-344 Year-2024 Thana- Cyber P.S. District- Saran

Nikhil Barnwal S/O Ranjeet Resident of Village- Walidpur Police Station-
Muhammadabad, Dist.- Mau, U.P.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Nath Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Section 66(c) and 66(d) of the Information Technology Act and 303 (2), 318(4) and 319(2) of the B.N.S.

3. The prosecution case is to the effect that the informant namely Vikash Kumar gave a written report stating therein that he was duped of Rs. 45,86,000/- by the named accused persons, namely, Tushar Pal and Akansha Singh in whose account he had transferred the part of the amount and on such allegations the case was registered.

4. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and his name has



surfaced subsequently during course of investigation. It is also submitted by learned counsel for the petitioner that there is no allegation on the petitioner of receiving the amounts directly by the informant. It is also submitted that from the perusal of the FIR as well as during the course of investigation it has come that account holders had withdrawn money from the aforesaid account through the ATM situated at Dubai. It is lastly submitted that the petitioner has clean antecedent and he is a student and is in custody since 03.02.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the petitioner is involved in duping the valuable money of innocent people.

6. Considering the aforesaid submissions of the parties and taking into account the fact that even if the allegation is taken on face value there is nothing to show that the petitioner has received the entire amount coupled with the fact that the petitioner is in custody since 03.02.2025, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra, in connection with Saran Cyber



P.S. Case No. 344 of 2024, subject to the following conditions:-

- (i) One of the bailors will be close relative of the petitioner.*
- (ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.*
- (iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.*
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.*
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.*

7. The application stands allowed.

(Sourendra Pandey, J)

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