

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40063 of 2025**

Arising Out of PS. Case No.-11 Year-2023 Thana- Cyber P.S. District- Aurangabad

Rakesh Kumar @ Bablu S/O Ram Kumar Jha R/O Vill.- Bhola Tola English,
Ward no. 2, P.s.- Lakhisarai, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Ms. Rina Sinha, APP

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

ORAL ORDER

3 18-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Aurangabad Cyber P.S. Case No. 11 of 2023 instituted for the offence under Sections 420, 467, 468 & 471 of the Indian Penal Code and Section 66(D) of the IT Act.

3. As per the prosecution case, Informant has alleged that one Dheeraj has cheated him through cyber chatting to the tune of Rs. 5,60,000/- on the pretext of installing computers at his institute and there is recovery of one laptop, I-phone, mobile phone, ATM card etc.

4. The petitioner has renewed his prayer for grant of



regular bail which was earlier rejected by this Court vide order dated 18.11.2024 passed in Cr. Misc. No. 64258 of 2024.

5. Learned counsel for the petitioner submits that the petitioner is in custody since 25.05.2024 and that the trial is going on but, it is not in accordance with the observation given by this Court in the aforesaid order dated 18.11.2024 and, thus, there is no likelihood of conclusion of the trial in near future.

6. In compliance to the order of this Court dated 27.06.2025, the learned court below has sent report dated 18.07.2025 regarding present stage of trial.

7. The report of the learned Additional Chief Judicial Magistrate-I, Aurangabad dated 18.07.2025 suggests that altogether five witnesses have been examined on the part of the prosecution and only one witness is remained to be examined. It is further reported that the expected period of conclusion of the trial is within three months.

8. This Court finds that the present case is triable by Magistrate and the petitioner is in custody since 25.05.2024 i.e. for more than one year.

9. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner



and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Aurangabad Cyber P.S. Case No. 11 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(iii) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.



10. The learned court below is directed to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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