

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40137 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- Cyber P.S. District- Gaya

Chotu @ Ejaj Alam S/o Md. Jiaul Haque Ansari @ Jewel Ansari @ Jewul Ansari Resident of Village- Kurmidih, P.S.-Balidih, District- Bokaro (Jharkhand), presently residing at village- Reganiya, P.S.-Amas, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Gaya Cyber P.S. Case No. 126 of 2024 instituted for the offences under Sections 318(4) and 319(2) of the B.N.S., 2023 and Sections 66(C) and 66(D) of the Information Technology Act, 2000.

3. As per prosecution case, the accusation against the petitioner and others is that in the name of giving huge discount in commercial transaction to people at large and, on purchase, he was cheating customers through online sale applications such as Facebook and Amazon. It is also alleged that the accused persons also used to purchase gold coin from the crime-



proceeds and distributing the same among themselves.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to oblique reason. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence and his name in this case has surfaced as being owner of under construction house used for carrying cyber fraud. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent. Charge-sheet has been submitted in this case. Learned counsel for the petitioner again submits that the co-accused has been granted bail by this Court vide order dated 22-04-2025 passed in Cr. Misc. No. 21133 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned court below where the
case is pending/successor court in connection with Gaya Cyber
P.S. Case No. 126 of 2024, subject to the conditions as laid
down under Section 482(2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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