

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44771 of 2025

Arising Out of PS. Case No.-386 Year-2025 Thana- MAHUA District- Vaishali

Rohan Kumar @ Rohan Raj S/o Sanjay Singh @ Sanjay Kumar Singh R/o
Village- Margi, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 47083 of 2025

Arising Out of PS. Case No.-386 Year-2025 Thana- MAHUA District- Vaishali

Pramod Kumar Singh @ Pramod Kumar S/o Late Jimdar Singh R/o Village-
Margi @ Bishunpur Mohan, P.S.- Mahua, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 44771 of 2025)

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 47083 of 2025)

For the Petitioner/s : Mr. Janardan Prasad Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

2. The petitioners seek bail in a case registered for the
offences punishable under Sections 316(2), 318(4), 61(2), 3(5) of
B.N.S. and Section 8(c) & 21(b) of N.D.P.S. Act and Section 66 of
I.T. Act.



3. As per the FIR, on secret information that one Pramod Kumar Singh (petitioner) along with 4-5 unknown individuals were involved in Cybercrime and consuming intoxicants at his shop, a raid was conducted and five persons were apprehended. They disclosed their names as Dilkash Raza, Pramod Kumar Singh (petitioner), Vikash Kumar, Rohan Kumar (petitioner) and Akhilesh Kumar. During the search, one mobile of the Oppo company with a SIM and a substance like Kota kept in a plastic Dabba were recovered from Pramod Kumar Singh (petitioner). One mobile of the Oppo company with a SIM, eight SIMs of different mobile companies kept in the pant's pocket and one Apache motorcycle bearing registration no. BR31AK 1197 were recovered from the possession of Dilkash Raza. One mobile of Infinix Company with SIM and a Swift Dezire Maruti Suzuki vehicle bearing registration no. BR01HR 7389 were recovered from the possession of Vikash Kumar. One mobile with a SIM of the Vivo Company was recovered from the possession of Rohan Kumar (petitioner). One mobile of the Redmi company with a SIM and a Bullet motorcycle of Royal Enfield bearing registration no. BR01HH 7908 were recovered from the possession of Akhilesh Kumar. 24 dabbas filled up with kota (heroin), a total of 15 grams, and 60 empty dabbas for keeping kota (heroin) were recovered from the motorcycle's dikky kept behind the shop of Pramod



Kumar Singh (petitioner). On seeing the WhatsApp message on the mobile of Dilkash Raza, it appears that on the pretext of providing a job, money was demanded and received. On interrogation, Dilkash Raza disclosed that for the last 2-3 months, he came in contact with Anil Kumar and by giving false promise of jobs, he used to do Cyber fraud with the help of Pramod Kumar Singh (petitioner) at his shop. Accordingly, the seizure list of recovered articles was prepared, and the apprehended accused persons were arrested.

4. Learned counsel appearing on behalf of the petitioner, namely, Rohan Kumar @ Rohan Raj submits that he has falsely been implicated and nothing was recovered from the possession of the petitioner barring a mobile phone and during the investigation, the witnesses have not supported the prosecution case against the petitioner.

5. Learned counsel appearing on behalf of the petitioner, namely, Pramod Kumar Singh @ Pramod Kumar has submitted that the petitioner has falsely been implicated and even going by the statement made in the FIR, one mobile phone and a substance which look like Kota kept in a plastic box ,was recovered, however, the quantity has not been disclosed even from perusal of the seizure list. Learned counsels have further submitted that only on suspicion, the petitioners have been arrested. It has jointly been



submitted by the learned counsels for the petitioners that the chargesheet has already been submitted and there is no chances of tampering with the evidence and hence the petitioners should be enlarged on bail who are in custody since 23.03.2025 and both the petitioners have two criminal antecedents each. It has lastly been submitted that similarly situated co-accused person has been granted bail by this Court vide order dated 28.05.2025, passed in Cr. Misc. No. 33121 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for regular bail of the petitioner and has stated that the petitioners were found to be committing Cybercrime and were also found intoxicated with narcotic substance.

7. Considering the aforesaid facts and circumstances and taking into account the fact that no incriminating article has been recovered from the conscious possession of the petitioners, let the petitioners above named, are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each 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 Mahua P.S. Case No. 386 of 2025, subject to the the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.



(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

8. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

Siwani/-

U		T	
---	--	---	--

