

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46579 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- Cyber P.S. District- Nawada

Sonu Kumar, S/o Brahmdev Sharma, Resident of village-Kurma, P.S.- Nagar,
Distt- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rahul Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Cyber P.S. Case No.22 of 2025 registered for the offences punishable under Sections 303 (2), 318(2), 318(4), 338, 319(2), 336(2), 340(2), 61(2) of the Bhartiya Nyaya Sanhita (for short 'B.N.S.') as well as Sections 66, 66(B), 66(C) and 66(D) of the Information and Technology Act.

3. The accused/petitioner is named in the FIR and is in custody since 15.02.2025.

4. As per case of prosecution, two mobiles were recovered from co-accused namely, Akash Kumar, where one mobile was having two SIMS and another mobile was having one SIM, which alleged to be used in cyber fraud.



5. It is submitted by learned counsel appearing for the petitioner that SIM which was found inserted in mobile was not registered in the name of petitioner and considering this aspect, the co-accused Akash Kumar, from possession of whom, the mobile phones were recovered has been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.36938 of 2025 dated 01.09.2025. In this context, it is pointed out by learned counsel that the seizure list also appears disputed because same appears not supported by any independent witnesses and moreover the petitioner alleged to be indulged in cyber fraud, with bald allegation, without having any specification as to whom and how he cheated. It is submitted that no private complaint was received in this matter and merely on the basis of suspicion, the police being informant implicated the petitioner and other co-accused persons. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner is a man of clean antecedent.

6. Learned APP opposes the prayer for grant of bail to



the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* inserted SIMs were not found registered in the name of the petitioner and further, the same appears recovered from the possession of co-accused, who has already been granted bail, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 15.02.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Nawada in connection with Cyber P.S. Case No.22 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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