

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50284 of 2025

Arising Out of PS. Case No.-605 Year-2023 Thana- PATRAKARNAGAR District- Patna

Rishikesh Kumar, aged about 20 years, S/O Shri Anuj Kumar @ Anuj Prasad
Resident of Manpura, Bairiya, P.S.- Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Rukhaiyar, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 26-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier the prayer for bail of the petitioner was
rejected by this Court vide order dated 27.02.2024 passed in Cr.
Misc. No.12371 of 2024.

3. Petitioner is in custody in a case registered for the
offence punishable under Section 406, 419, 420 and 120(B) of
the Indian Penal Code.

4. As per the prosecution case, it is alleged that
petitioner is a member of cyber crime *thugi* and total 70,000/-
Rs. and other incriminating articles have been recovered from
the possession of the petitioner.

5. Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. He next submits that earlier the prayer for Regular bail of the petitioner was rejected by this Court vide order dated 27.02.2024 passed in Cr. Misc. No.12371 of 2024 with an observation that 'however the Trial Court is directed to conclude the trial within a period of one year from the date of receipt of this order and if the trial is not concluded, the petitioner may renew his prayer for bail before the learned Trial Court' but the trial has not been concluded till date. He further submits that similarly situated co-accused person, namely, Mantu Kumar, had already granted bail by a co-ordinate Bench of this Court vide order dated 21.02.2025 passed in Cr. Misc. No. 89105 of 2024. He next submits that all offences are triable by the learned Magistrate. He next submits that petitioner is in custody since 06.03.2023 and has got clean antecedent stated in para-3 of the bail petition.

6. Learned APP for the State opposes the prayer for Regular bail of the petitioner.

7. On perusal of the First Information Report, impugned order dated 15.05.2025 and report sent by learned Judicial Magistrate First Class-XXIII, Patna vide letter No. 323 dated 01.09.2025, it appears that learned Judicial Magistrate



First Class XXIII, Patna has requested six months time for disposal of this case. Considering the facts and circumstances of the case as well as the submissions made by learned counsel for the petitioner and also the fact that similarly situated co-accused person, namely, Mantu Kumar, had already granted bail by a co-ordinate Bench of this Court vide order dated 21.02.2025 passed in Cr. Misc. No. 89105 of 2024 and also the fact that petitioner is under custody since more than two years, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class-23, Patna Sadar, Patna in connection with Patrakar-Nagar P.S. Case No.605 of 2023 with a condition that petitioner shall remain physically present on each and every date fixed by the learned Trial Court till conclusion of the trial and if the petitioner did not appear on any date fixed by learned Trial Court, the learned Trial Court shall cancel the bail bonds of the petitioner.

(Ramesh Chand Malviya, J)

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