

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47469 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- Cyber P.S. District- Sheikhpura

Umesh Kumar, Son of Bageshwar Mahto @ Makeshwar Mahto, Resident of
Village -Pachna , P.S. -Sheikhpura, District -Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-08-2025 Heard Mr. Sheo Nandan Prasad, learned counsel for
the petitioner and Mr. Syed Mojibur Rahman, learned APP for
the State.

2. Petitioner seeks regular bail in connection with
Sheikhpura Cyber P.S. Case No. 05 of 2025 dated 30.03.2025
registered for the offences punishable under sections 303(2),
318(4), 319(2) and 3(5) of the Bharatiya Nyaya Sanhita and
sections 66C and 66D of the Information Technology Act.

3. The main submissions advanced by petitioner's
counsel are that though the instant matter relates to cyber fraud
but the petitioner has been falsely roped in the alleged offence
of cheating and as per the allegation, he and two co-accused
persons were apprehended and from the possession of this
petitioner, only one mobile phone was recovered which belongs



to this petitioner, in fact the alleged fraud was committed by using a particular mobile number in the State of Telangana and the petitioner's mobile number does not have any connection with the said mobile number and the petitioner has never remained involved in similar type of allegation and his past history is clean. It is lastly submitted that two co-accused persons, namely, Shailesh Kumar Verma @ Shailesh Kumar @ Verma and Vikash Kumar, who are carrying more serious allegation, have been granted bail by a co-ordinate Bench of this Court vide order dated 15.07.2025 passed in Cr. Misc. No. 41810 of 2025 and the petitioner has been languishing in jail since 30.03.2025 and against him, the investigation has been completed.

4. Learned APP for the State has opposed the prayer of the petitioner and submits that the instant matter relates to serious offence of fraud committed by using cyber technology and the petitioner was apprehended with the co-accused persons with a mobile phone.

5. Considering the aforesaid submissions and mainly the fact that the prosecution has not been able to show the cogent material or evidence in respect of petitioner's involvement in the alleged crime of cyber fraud and it appears that he has been



made accused in this case mainly on account of his presence with co-accused persons and from his possession, only one mobile phone is said to have been recovered but he has taken the plea that the said mobile phone belongs to him and coupled with his custody period and completion of investigation against him, this Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Sheikhpura Cyber P.S. Case No. 05 of 2025.

(Shailendra Singh, J)

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