

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53286 of 2025

Arising Out of PS. Case No.-45 Year-2024 Thana- Cyber P.S. District- Madhepura

Prashant Kumar S/o Late Bhagat Yadav Resident of Village - Sukhasan, P.S. -
Gwalpara, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Pooja Prasad, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Madhepura Cyber P.S. Case No. 45 of 2024 registered
for the offence under Sections 303(2), 318(4) of BNS
and 66(C), 66(D) of IT Act.

3. The petitioner is named in the F.I.R. and is in
custody since 13.01.2025.

4. As per FIR petitioner after introducing himself
to informant as Paytm worker obtained OTP whereafter
Rs. 180205.72/- was debited from the account of the
informant.

5. Learned counsel appearing on behalf of the



petitioner submitted that the present FIR, in issue, was lodged after one month i.e. on 06.08.2024 for the occurrence dated 04.07.2024. It is submitted that the withdrawal of amount was on several occasions which *prima-facie* not possible against single OTP. It is also pointed out that the allegation was raised by the informant after one month of alleged withdrawal, which also makes it doubtful. While concluding the argument, it is submitted that petitioner found involved in one more criminal case, subsequent to this out of police atrocities and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as FIR, in issue, was lodged with delay of one month, coupled with fact that investigation of this case already completed, where petitioner remains in custody since 13.01.2025, accordingly petitioner above



named, is directed to be released on bail in connection with Madhepura Cyber P.S. Case No. 45 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM Madhepura /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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