

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55289 of 2025

Arising Out of PS. Case No.-317 Year-2025 Thana- WARISLIGANJ District- Nawada

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Ajay Kumar S/o- Baleshwar Chauhan @ Baleshar Chauhan R/o Village-
Kashi Bigha Ps- Warisaliganj Dist- Nawada. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Ms. Vaishnavi Singh, Advocate
Mr. Ritwik Thakur, Advocate
For the Opposite Party/s : Mr. Madan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Warisaliganj P.S. Case No. 317/2025, registered for the offence under Sections 319(2), 318(4), 338, 336(3), 340(2), 61(2), 111(4), 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 66(B), 66(D) of the I.T. Act.

3. The accused/petitioner is named in the F.I.R. and is in custody since 15.06.2025.

4. The allegation against the petitioner is to involve in Cyber fraud alongwith other co-accused persons as to cheat innocent persons on pretext of providing loan against minimal interest.

5. Mr. Ajay Kumar Thakur, learned counsel appearing



on behalf of the petitioner submitted that the petitioner being villager was sitting near to his field, where the accused persons was alleged to gather and upon police raid they all left the place of gathering by throwing their mobiles and other items to nearby bush but as this petitioner being innocent person was remain sitting at his field, he was implicated with this case by police without having any cogent reasons. It is submitted that admittedly as per FIR, some of the mobiles was thrown to nearby bush and some was taken away by the accused persons and, therefore, the recovery as alleged shown from this petitioner is only with a view to implicate him. It is also pointed out by Mr. Thakur that recovery not appears to be made from the physical possession of this petitioner and save and except suspicion nothing appears against him to suggest his involvement in alleged cyber fraud. While concluding argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence. Petitioner claimed clean antecedent.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by taking note of fact as save and except suspicion *prima facie* nothing incriminating appears against this petitioner, where even



alleged recovered mobile phone *prima facie not* appears recovered from conscious physical possession of this petitioner, coupled with the fact that investigation of this case is already completed, where petitioner being man of clean antecedent, remains in custody since 15.06.2025 accordingly, petitioner above named, is directed to be released on bail in connection with Warisaliganj P.S. Case No. 317/2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge V, Nawada/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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