

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59060 of 2025

Arising Out of PS. Case No.-321 Year-2025 Thana- WARISLIGANJ District- Nawada

1. Pawan Kumar S/o Mr. Suresh Ram R/o vill - Kandha, P.S. - Warsliganj, Distt.- Nawada
2. Rakesh Sao S/o Mr. Umesh Sao @ Umesh Saw R/o vill - Kandha, P.S. - Warsliganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kr. Thakur, Advocate Mrs.Vaishnavi Singh, Advocate Mr.Ritwik Thakur, Advocate
For the Opposite Party/s :		Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-11-2025 Heard learned counsel appearing on behalf of the

petitioners and learned A.P.P. for the State.

2. The accused/petitioners seek bail in connection with Warsaliganj P.S. Case No. 321 of 2025 registered for the offences under Sections 319(2), 318(4), 338, 336(3), 340(2), 61(2), 111(4) and 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and sections 66(b) and 66(D) of the Information Technology Act.

3. The accused/petitioners are named in the First Information Report and are in custody since 17.06.2025.

4. As per FIR, petitioners found indulged in cyber



fraud and to cheat the unknown innocent persons.

5. It is submitted by learned counsel appearing on behalf of the petitioners that upon raid, police apprehended petitioners and upon search, one mobile phone alongwith three pages of customer data sheets were recovered. It is pointed out that mobile phone which was said to be recovered from these petitioners was not found in their name and moreover, seizure list also appears prepared under witness of interested witnesses who are none but the police constables.

6. While concluding argument, it is submitted that petitioners are the men of clean antecedent and, moreover, investigation of this case is already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

8. Considering the facts and circumstances as mentioned above and by taking note of the fact as except suspicion arising out of seized recovered data sheets, nothing appears incriminating against the petitioners as to connect



them *prima facie* with the present occurrence of cyber fraud, coupled with the fact that petitioners, who are the men of clean antecedent, remain in custody since 17.06.2025, where investigation of this case is already completed, accordingly, above-named petitioners are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Nawada/concerned court, in connection with Warsaliganj P.S. Case No. 321 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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