

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59236 of 2025

Arising Out of PS. Case No.-173 Year-2024 Thana- Cyber P.S. District- Gaya

1. Nadim @ Md. Nadeem Sarwar S/O Md. Noor Alam @ Noor Alam Resident of Village- Manpur Abgila, P.S.- Mufassil, District- Gaya.
2. Md. Kashif Equbal S/O Iqbal Alam R/O Village- Gebal Bigha, P.S- Rampur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.
Mr. Gajendra Kr. Singh, Adv.
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Gaya Cyber P.S. Case No. 173 of 2024 instituted for the offences punishable under Sections 318(4), 319(2), 336(3), 338, 340(2), 111, 61(2) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 66(C) and 66(D) of the I.T. Act.

3. As per prosecution case, the petitioners and other accused persons were accused of running a call center and committing Cyber fraud.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case only because of their being the employees of the accused Company. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners are the employee of the Company and there is no allegation leveled against them of being involved in any such activity. The petitioners have nothing to do with the affairs of the alleged Company and have no concern with the alleged occurrence. Learned counsel for the petitioners further submits that the alleged account number belongs to Paynol Solutions Pvt. Ltd. whereas the police failed to show that any number on which the Cyber complaint has been made before was found from the petitioners' possession. The petitioners are in custody since 01.12.2024 and have got no criminal antecedent. He further submits that the co-accused Mohit Kumar has also been granted regular bail by the Hon'ble Apex Court vide order dated 31.07.2025 passed in SLP (Cr.) 9328 of 2025. Charge-sheet has been submitted in this case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners stating that the offence alleged is serious in nature. Learned APP for the State further submits that the prayer for bail of co-accused person has



been rejected by this Court vide order dated 28.03.2025 passed in Cr. Misc. No. 13507 of 2025.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gaya Cyber P.S. Case No. 173 of 2024.

(Rudra Prakash Mishra, J)

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