

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64967 of 2025

Arising Out of PS. Case No.-336 Year-2025 Thana- WARISLIGANJ District- Nawada

1. Gautam Kumar S/o Ram Vriksh Paswan @ Ram Briksh Paswan @ Ram Brish Paswan R/o vill - Mir Bigha (Chakway), P.S.- Warisaliganj, Distt.- Nawada
2. Vickky Kumar S/o Vijay Paswan R/o vill - Mir Bigha (Chakway), P.S.- Warisaliganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Warisaliganj P.S. Case No. 336 of 2025 registered for the alleged offences under Sections 319(2), 318(4), 338, 336(3), 340(2), 61(2), 111(4) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, police received secret information about gathering of a number of Cyber criminals who had been cheating the innocent persons by using phones. A raid was conducted and 09 persons including these petitioners were apprehended. From the possession of the petitioners, one mobile phone each was recovered. The apprehended petitioners and co-accused persons disclosed that on the pretext of making available



online loan, they used to cheat people and grab the processing fees.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is no material to show that the petitioners were involved in Cyber crime or cheating. No person has come forward to say that he has been cheated by the petitioners or other co-accused persons. Altogether 24 persons have been named in the FIR but with general and omnibus allegation. There is no allegation of transfer of money or any type of forgery committed by the petitioners through mobile phone. There is no material against the petitioners and the whole prosecution story is based on imagination. There is non compliance of Section 100(3) of BNSS. The petitioners are having clean antecedents. Learned counsel further submits that the similarly placed co-accused persons have been granted bail by different Co-ordinate Benches of this Court vide order dated 25.08.2025 passed in Cr. Misc. No. 60062 of 2025 and order dated 27.08.2025 passed in Cr. Misc. No. 58936 of 2025. The petitioners are in custody since 25.06.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioners.

06. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the vague nature of allegation against the petitioners without any substantive material and also considering the period of custody of the petitioners along with submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned learned Additional Chief Judicial Magistrate-IV, Nawada in connection with Warisaliganj P.S. Case No. 336 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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