

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59496 of 2025**

Arising Out of PS. Case No.-45 Year-2025 Thana- Cyber P.S. District- Nawada

Chhotu Kumar S/o late Krishna Chaudhary R/O Village- Chakway, P.S.- Warsaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 59982 of 2025**

Arising Out of PS. Case No.-45 Year-2025 Thana- Cyber P.S. District- Nawada

Devnandan Kumar S/O Late Arvind Ravidas R/O Vill- Chakwai, P.O- Warisaliganj, Dist- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 59496 of 2025)

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 59982 of 2025)

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3 15-10-2025

**CR. MISC. No. 59496 of 2025**

Heard the parties.

2. The petitioner seeks bail in connection with Cyber (district Nawada) P.S. Case No. 45 of 2025 registered for the offence under Sections 303(2), 318(2), 318(4), 319(2), 336(2), 336(3), 340(2), 61(2) of BNS and Section 66 and 66(D) of IT Act.

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



custody since 18.04.2025.

4. As per FIR, upon secret information police conducted a raid in the house of petitioner from where a mobile phone bearing no. 6204462260 was recovered from the possession of this petitioner alongwith several sim card, ATM cards, NSDL payment bank card etc. with allegation that the petitioner was actively involved in committing *cyber* fraud.

5. Learned counsel appearing on behalf of the petitioner submitted that that the mobile as alleged to be recovered from the possession of this petitioner was not used in calling persons. In this context, it is further submitted that two private complaint was lodged which was against mobile phone no. 8292663359, which was lodged by one Mirtunjay Upadhyay, whereas another complaint was lodged by one Md. Sahid Farooqi against the seized mobile no. 8981752028. It is submitted that none of the private complaint was lodged against the mobile number which was found in possession of this petitioner. It is further submitted that cyber fraud was actually committed by using mobile no. 928955745 and 9836162107 where in actual the screenshot running into 14 pages by one of the mobile no. 9836162107 was found in possession of this



petitioner not the actual sim card. While concluding the argument, it is submitted that petitioner is a man of clean antecedent 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 prima-facie private complaint not appears available against the mobile no. which was alleged to be recovered from the possession of this petitioner and also same not appears *prima-facie* used in committing cyber fraud, coupled with fact as investigation of this case already completed, where petitioner remains in custody since 18.04.2025, accordingly petitioner above named, is directed to be released on bail in connection with Cyber (district Nawada) P.S. Case No. 45 of 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 JM 1<sup>st</sup> Class, Nawada /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

**CR. MISC. No. 59982 of 2025**



Heard the parties.

The petitioner seeks bail in connection with Nawada Cyber P.S. Case No. 45 of 2025 registered for the offence under Sections 303(2), 318(2), 318(4), 319(2), 336(2), 336(3), 340(2), 61(2) of BNS and Section 66 and 66(D) of IT Act.

3. The petitioner is named in the F.I.R. and is in custody since 18.04.2025.

4. As per FIR, upon secret information police conducted a raid in the house of petitioner from where a mobile phone bearing no. 7265905778 and 7091300220 was recovered from the possession of this petitioner alongwith several sim card, ATM cards, NSDL payment bank card etc. with allegation that the petitioner was actively involved in committing *cyber* fraud.

5. Learned counsel appearing on behalf of the petitioner submitted that that the mobile as alleged to be recovered from the possession of this petitioner was not used in calling persons. In this context, it is further submitted that two private complaint was lodged which was against mobile phone no. 8292663359, which was lodged by one Mirtunjay Upadhyay, whereas another complaint was lodged by one Md.



Sahid Farooqi against the seized mobile no. 8981752028. It is submitted that none of the private complaint was lodged against the mobile number which was found in possession of this petitioner. It is further submitted that cyber fraud was actually committed by using mobile no. 928955745 and 9836162107 where in actual the screenshot running into 14 pages by one of the mobile no. 9836162107 was found in possession of this petitioner not the actual sim card. While concluding the argument, it is submitted that petitioner is a man of clean antecedent 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 *prima-facie* private complaint not appears available against the mobile no. which was alleged to be recovered from the possession of this petitioner and also same not appears *prima-facie* used in committing cyber fraud, coupled with fact as investigation of this case already completed, where petitioner remains in custody since 18.04.2025, accordingly petitioner above named, is directed to be released on bail in



connection with Nawada Cyber P.S. Case No. 45 of 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 CJM, 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)**

Sudha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

