

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62356 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- Cyber P.S. District- Nawada

Shivam Kumar S/O Sri Shyam Sundar Singh R/O Village- Beldha, P.S-
Warisaliganj, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Adv. Mrs. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the Opposite Party/s :		Mr. Bharat Bhushan, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 28-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Nawada Cyber P.S. Case No. 79 of 2025 registered for the offence under Sections 303(2), 318(2), 318(4), 319(2), 336(2), 336(3), 338, 340(2), 111, 61(2) of BNS.

3. The petitioner is named in the F.I.R. and is in custody since 03.06.2025.

4. As per FIR, petitioner found involved in cyber fraud cheating innocent persons and was apprehended by informant/ police when raid was conducted in this regard after receiving a secret information.

5. Learned counsel appearing on behalf of the



petitioner submitted that the face of FIR suggest clearly that the mobile which was broadly used for alleged cyber fraud is 9208486720, but the mobile which was found in possession of this petitioner was bearing SIM no. 8116039068 and 6204577627. It is submitted that as some of the data regarding Bajaj Finance found stored in mobile, recovered from this petitioner on the basis of said suspicion he was implicated with present crime in question without having any incriminating material. It is submitted that nothing incriminating recovered from the seized mobile of the petitioner which may suggests that he was actively involved in cyber fraud as alleged. 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 alleged mobile for committing fraud *prima-facie* not appears to be recovered from the possession



of this petitioner where except the suspicion arising out of documents related with Bajaj Finance nothing incriminating appears during investigation as to connect petitioner with present crime in question, coupled with fact that investigation of this case already completed where petitioner remains in custody since 03.06.2025, accordingly petitioner above named, is directed to be released on bail in connection with Nawada Cyber P.S. Case No. 79 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 1st Class, Nawada /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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