

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64886 of 2025

Arising Out of PS. Case No.-194 Year-2025 Thana- ASHTHAWAN District- Nalanda

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Nishant Kumar Son of Sunil Prasad Resident of Village - Chulihari, P.S. -
Asthawan, District -Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Asthawan P.S. Case No. 194 of 2025, instituted for the offences
punishable under Sections 316(3), 318(4), 336(3), 338, 340(2)
and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner
is the accused of committing cyber fraud by using fake SIM
card with innocent people in a fraudulent manner through audio
on WhatsApp/Facebook in the name of Indian Escort Sex
Service and Hypnotization of desired men and women.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is not specific rather the same is general and omnibus in nature. The petitioner has not committed any offence as alleged in the FIR. It is next submitted that the petitioner has not committed any cheating or forgery with the people. The petitioner is in custody since 18.06.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 27.08.2025 passed in Cr. Misc. No. 57394 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Asthawan P.S. Case
No. 194 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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