

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63697 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- Cyber P.S. District- East Champaran

Niraj Kumar S/O Ravindra Sah @ Rabindar Sah @ Ravinder Shah Resident of Village - Dana Nagar (Dara Nagar), Tejpurwa, Ward No. 13, P.S. - Malahi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 65602 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- Cyber P.S. District- East Champaran

1. Suraj Kumar Jha @ Suraj Jha S/O Laxmikant Jha Resident Of Village- Dudhiyawa Ojha Tola, P.S- Paharpur, Distt.- East Champaran.
2. Vicky Kumar Jha @ Vicky Kumar S/O Laxmikant Jha Resident of Village- Dudhiyawa Ojha Tola, P.S- Paharpur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66766 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- Cyber P.S. District- East Champaran

Rehan Saifi Son of Haroon Rashid R/O Village- Lagoniya, Ward Number-11, P.S.- Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 63697 of 2025)

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Roy, Adv.

(In CRIMINAL MISCELLANEOUS No. 65602 of 2025)

For the Petitioner/s : Mr. Pravin Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 66766 of 2025)



For the Petitioner/s : Mr. Abhishek Ranjan, Adv.
For the Opposite Party/s : Mr. Pushpa Sinha.1, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 14-11-2025

CR. MISC. No. 63697 of 2025

Heard the parties.

2. The petitioner seeks bail in connection with Motihari Cyber P.S. Case No. 78 of 2025 registered for the offence under Sections 338, 336(3), 340(1), 303(2), 318(4), 319(2), 6(2) of BNS and Section 66(C), 66(D) of IT Act.

3. The petitioner is named in the F.I.R. and is in custody since 26.05.2025.

4. The allegation against the petitioner is to involve in cyber fraud and to involve in issuing of forged *Rashan* card alongwith other co-accused persons.

5. Learned counsel appearing on behalf of the petitioners submitted that upon receiving secret information police raided the house of the petitioner to apprehend his brother namely, Amarjeet Kumar but as he was not available at resident, the petitioner who is younger brother was apprehended by police without having any incriminating material. It is submitted that even from the FIR, there is no allegation available against this petitioner and also no



incriminating material recovered from his possession. 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 no incriminating material appears recovered from possession of this petitioner as to *prima-facie* suggest his involvement with present crime in questions, coupled with the fact that investigation of this case is already completed where petitioner remains in custody since 26.05.2025, accordingly above-named petitioner, is directed to be released on bail in connection with Motihari Cyber P.S. Case No. 78 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of learned ACJM IV, East Champaran, Motihari/concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

CR. MISC. No. 65602 of 2025

Heard the parties.



2. The petitioners seeks bail in connection with Motihari Cyber P.S. Case No. 78 of 2025 registered for the offence under Sections 338, 336(3), 340(1), 303(2), 318(4), 319(2), 6(2) of BNS and Section 66(C), 66(D) of IT Act.

3. The petitioners are named in the F.I.R. and they are in custody since 26.05.2025.

4. The allegation against the petitioner is to involve in cyber fraud and to involve in issuing of forged *Rashan* card alongwith other co-accused persons.

5. Learned counsel appearing on behalf of the petitioners submitted that petitioners are the owner of cyber cafe and the seizure list shows only recovery of one laptop and mobile which belongs to these petitioners. It is submitted that nothing incriminating material recovered from the laptop and mobile of these petitioners and as these petitioners was found member of Whatsapp group, where the list of forged card found circulated were apprehended with present case. While concluding the argument, it is submitted that petitioners are men 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* no incriminating material or forged *Rashan* card appears to be recovered from the possession of above-named petitioners, coupled with fact that investigation of this case already completed where petitioners remains in custody since 26.05.2025, accordingly, both above named petitioners, are directed to be released on bail in connection with Motihari Cyber P.S. Case No. 78 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to the satisfaction of learned CJM, East Champaran, Motihari /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

CR. MISC. No. 66766 of 2025

Heard the parties.

2. The petitioner seeks bail in connection with Motihari Cyber P.S. Case No. 78 of 2025 registered for the offence under Sections 338, 336(3), 340(1), 303(2), 318(4), 319(2), 6(2) of BNS and Section 66(C), 66(D) of IT Act.

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



custody since 26.05.2025.

4. The allegation against the petitioner is to involve in cyber fraud and to involve in issuing of forged *Rashan* card alongwith other co-accused persons.

5. Learned counsel appearing on behalf of the petitioners submitted that petitioner was running one customer center in name of “Saifi Digital Service Center” providing different customer service to public. It is submitted that laptop, mobile phone, biometric, cash and other devices which is said to be recovered from the center of the petitioner, in fact was the essential equipments which was there to run the customer service center. It is submitted that petitioner implicated with this case only for the reason that he is one of the member of Whatsapp group where the forged list of *Rashan* card found circulated. While concluding the argument, it is submitted that 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 opposed the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as *prima-facie* no incriminating material



appears recovered from possession of this petitioner as to connect him *prima-facie* with scam of issuing forged *rashan* card, coupled with the fact that investigation of this case already completed, where petitioner remains in custody since 26.05.2025, accordingly above-named petitioner, is directed to be released on bail in connection with Motihari Cyber P.S. Case No. 78 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of learned ACJM IV, East Champaran, Motihari/concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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