

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67281 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Cyber P.S. District- Bhojpur

Mohit Kumar, S/O Vishwanath Pandey, Resident of Village- Sauchalay
Bhaluhipur, P.S.- Ara Nagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 17-09-2025 Heard Mr. Dharmesh Kumar Shrivastav, learned
counsel for the petitioner and Mr. Mithlesh Kumar Khare,
learned APP for the State.

2. The petitioner has prayed for bail in connection
with Cyber P.S. Case No. 35 of 2025 registered for the offence
punishable under Sections 316(2) and 318(4) of B.N.S. and
Sections 66(C) and 66(D) of Information Technology Act.

3. The case of the prosecution, in short, is that the
petitioner was found having transaction in bank. On this
suspicion, the petitioner was inquired and the informant came to
know that the petitioner along with his friend Aman Kumar was
indulged in cyber fraud by opening forged accounts.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case. It has further been submitted that from perusal of the F.I.R., it is clear that only allegation is that the petitioner is indulged in cyber fraud by opening forged accounts but from perusal of the seizure list it will transpires that certain passbooks of different persons were seized. It has also been submitted that it is not clear as to whom the petitioner has cheated. It has also been submitted that from perusal of the order of the trial Court it will transpire that the bail of this petitioner was refused by the trial Court only on the basis of that in the account of the petitioner Rs. 9,38,357/- was deposited and Rs. 9,11,622/- was withdrawn and that such huge transactions are unexplained. Only this much of amount of submission and withdrawal does not attract any allegation. It has also been submitted that the allegation which are made are false and concocted. Though several passbooks have recovered from the house of Aman Raj, the friend of this petitioner but no passbook has been recovered from the possession of this petitioner. Petitioner is having no criminal antecedent and he is in judicial custody since 03.05.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara in connection with Cyber P.S. Case No. 35 of 2025.

(Ashok Kumar Pandey, J)

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