

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68543 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- Cyber P.S. District- Nawada

=====

Kanhaiya Kumar S/o Sri Binod Kumar R/o vill - Daulatpur, P.s.- Warisaliganj,
Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Cyber P.S. Case No. 88 of 2025, instituted for the offences punishable under Sections 318(2), 318(4), 319(2), 336(2), 336(3), 338, 340(2), 111, 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 66, 66(b), 66(c) and 66(d) of the Information Technology Act.

3. The prosecution case, in short, is that on receiving information about location of a mobile number used in cyber crime, a raid was conducted on the basis of tower location. In the raid conducted by the police, petitioner and two other co-



accused persons were apprehended and from their possession mobile phones were recovered which was used in the crime. Apart from the recovery of mobile phones, a number of documents were also seized from that place and there was recovery of Rs. 21,62,000/- from the said house.

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 petitioner has nothing to do with the number from which the cyber crime was committed. There is recovery of mobile phone from the petitioner and the petitioner has produced its purchase receipt. Even the SIM cards are in the name of the petitioner. It is next submitted that the seized cash belongs to the family of the petitioner. The petitioner is in custody since 21.06.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 17.09.2025 passed in Cr. Misc. No. 65007 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 *after framing of charge, if not already framed* 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 Cyber P.S. Case No. 88 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

