

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73240 of 2025

Arising Out of PS. Case No.-284 Year-2025 Thana- ASHTHAWAN District- Nalanda

Rajesh Kumar @ Rajesh @ Karu S/O Genauri Mahto R/O Village and P.O-
Ugawan, P.S- Ashthawan, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his/her arrest in connection with Ashthawan P.S. Case No. 284 of 2025, dated 21.08.2025, registered under Sections 316(2), 318(4), 338, 336 (3), 340 (2) 3 (5) of the B.N.S.

3. The prosecution case, in brief, is that the informant proceeded with force on 20.08.2025 at 22:10 for conducting special raid. In the meantime, at about 22:25, they received information that two persons are sitting at the road near Ugawan Mahadeo Asthan, who commit cyber crime. Then the informant along with police team proceeded to the place of occurrence and reached at 20:50. It was further stated that on seeing the police, two persons tried to run away towards the field, out of which



one was successful in fleeing away. The other one was apprehended, who disclosed his name as Sitaram. He disclosed the name of the person, who escaped to be Rajesh @ Karu (petitioner). He further disclosed that both of them are cyber criminals. Since no independence witness was found, one constable and one ASI, became seizure witness to seizure of mobile phone of Realme Company containing SIM No. 8689970228. The apprehended person did not produce any document in support of the ownership. It was found from the recovered mobile that the accused Sitaram commits the offence of cheating by creating forged Facebook account in the name of ID Bihari Baba Sandeep Acharya and fake WhatsApp account in the name of Bihari Baba, inciting persons with promise to find life partners and also spell magic.

4. Learned counsel for the petitioner submits that on the basis of disclosure made by co-accused Sita Ram, the name of the petitioner has transpired in this case. Nothing incriminating material has been recovered from the possession of the petitioner's house, which was put on search by the Police in his absence. There is no eye witness to the seizure list and seizure list has not been prepared on the consonance of the relevant provision of B.N.S.S. The co-accused namely Sita Ram, on whose disclosure, the name of the petitioner has transpired in this case, has been granted



regular bail by a Coordinate Bench of this Court vide order dated 11.11.2025, passed in Cr. Misc. No. 75709 of 2025.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts that on the basis of disclosure made by co-accused Sita Ram, the name of the petitioner has transpired in this case, nothing incriminating material has been recovered from the possession of the petitioner's house, which was put on search by the Police in his absence and co-accused Sita Ram, on whose disclosure, the name of the petitioner has transpired in this case, has been granted regular bail by a Coordinate Bench of this Court, let the above named petitioner, be released on anticipatory bail, in the event of his/her arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned J.M., 1st Class, Nalanda in connection with Ashthawan P.S. Case No. 284 of 2025, subject to the condition as laid down under Section 482 of the B.N.S as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official



document to show his/her bona fide;

(ii) the petitioner (s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

pravinkumar/-

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

