

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73499 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- Cyber P.S. District- East Champaran

Akhilesh Kumar S/O Paras Baitha Resident of village- Taghwa Nandpur,
Ward no. 7, P.s.- Bairiya, Dist.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-11-2025 Heard learned counsel appearing on behalf
of the petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with Motihari Cyber P.S. Case No. 139 of 2025 registered for the offences under Sections 318(4), 319(2), 338, 336(3), 316(2), 308(5), 317(5), 61(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 66(C), 66(D) of the I.T. Act.

3. The accused/petitioner is not named in the First Information Report and is in custody since 26.08.2025.

4. As per FIR, on secret information a raid was conducted by the informant, who is a police



officer, where several electronic gadgets like laptop, mobile phone and several documents like Aadhar, passbook and huge ATM Cards were said to be recovered.

5. It is submitted by learned counsel appearing on behalf of the petitioner that name of this petitioner transpires during course of investigation on the basis of confessional statement of co-accused Manish Kumar. It is also submitted that mobile phone, as pointed out through FIR, which said to be used in the alleged cyber fraud, not belongs to this petitioner and, therefore, except suspicion, nothing appears incriminating against this petitioner, who is a man of clean antecedent.

6. While concluding argument, it is submitted that investigation of this case is already completed and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. In view of aforesaid factual submission



and by taking note of the fact as *prima facie* mobile phone, which appears to be used in cyber fraud, not appears to connect the petitioner with the present crime in question, coupled with the fact that petitioner, who is a man of clean antecedent, remains in custody since 26.08.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – 4th, Motihari, East Champaran/concerned court, in connection with Motihari Cyber P.S. Case No. 139 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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