

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73582 of 2025

Arising Out of PS. Case No.-356 Year-2025 Thana- WARISLIGANJ District- Nawada

Santosh Kumar S/O Shravan Kumar R/O Village- Asthana, P.S- Shekhopur
Sarai, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prasad Singh, Adv.

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

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

ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Warisaliganj P.S. Case No. 356 of 2025, instituted for the offences punishable under Sections 319(2), 318(4), 338, 336(3), 340(2), 61(2), 111(4), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 66-B and 66-D of the I.T. Act.

3. The prosecution case, in short, is that police on the basis of secret information, raided the place of occurrence and, in the meantime, seeing the police party, the accused persons, 19-20 in number tried to flee away but out of them six persons were apprehended. It is further alleged that multiple mobile phones were recovered from the apprehended accused persons



along with data sheets used in the cyber crime.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the mobile bearing no. 7644909852, which is alleged to be seized by the police, is his own mobile and the call details of this mobile was taken out by the police and has not found any illegal activity. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. No specific overt act is alleged against the petitioner. It is next submitted that the petitioner was never indulged in the cyber crime and merely on the basis of suspicion, he is being dragged in the present case. The petitioner is in custody since 03.07.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 01.09.2025 passed in Cr. Misc. No. 58769 of 2025. He further submits that the co-accused Divakar Kumar and Raushan Kumar have already been granted bail by this Court vide orders dated 01.09.2025 and 08.09.2025



passed in Cr. Misc. Nos. 58769 of 2025 and 59542 of 2025 respectively.

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, taking into account the period of custody undergone by the petitioner as also the prayer for bail being based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail 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 Warisaliganj P.S. Case No. 356 of 2025.

(Rudra Prakash Mishra, J)

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