

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79971 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- Cyber P.S. District- Nawada

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Pawan Kumar S/O Naresh prasad Resident of Village- Paingri, P.S- Warsliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 19-02-2025 Heard Mrs. Vaishnavi Singh, learned counsel for the

petitioner and Mr. Bharat Bhushan, learned APP.

2. The petitioner is in custody in connection with Nawada Cyber P.S. Case No. 53 of 2024 for the offence under Sections 303(2), 303(3), 318(2), 318(4), 319(2), 336(2), 340(2) and 61(2) of the B.N.S. and Section 66, 66(B), 66(C), 66(D) of the I.T. Act lodged on 26.08.2024 by the informant, Raviranjana Mandol.

3. As per the prosecution story, the informant alleged that an information received of Cyber crime being conducted by the accused persons, raided the place. Though some accused managed to escape, others were apprehended, petitioner being one of them. Upon questioning, the house was raided and besides the mobile phones, certain documents recovered/seized.



This led to the F.I.R.

4. It is the case of the petitioner that the house was raided and his own mobile phone and documents were taken by the Police. Further, he is in custody since 27.08.2024 (paragraph-18 of the petition), charge-sheet submitted and if granted bail, he shall be appearing in trial diligently without fail. Further, without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioner submits that he intends to contribute Rs.15,000/- to the Chief Minister's Relief Fund. The last submission is that one Shashikant Kumar @ Dabloo Kumar has been granted bail in Cr. Misc. No. 83264 of 2024.

5. Learned APP, Mr. Bharat Bhushan submits that he do not deserve bail as he is indulged in cyber crime and also confessed to it.

6. Considering the submissions of the parties as also the period of custody, FIR lodged, he shall be facing the trial, an undertaking has been given that the petitioner shall be diligently appearing in trial, one of the co-accused, as stated above, has been granted bail, in that background, this Court is inclined to extend them the privilege of bail with conditions subject to payment of Rs. 15,000/-(each) to the Chief Minister's Relief



Fund through Demand Draft and the receipt be submitted to the learned Trial Court.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada, in connection with Nawada Cyber P.S. Case No. 53 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

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

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner 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 bail bond.

(v) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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