

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79694 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- Cyber P.S. District- West Champaran

Hassan Khan Son of Md. Arman Khan Village - Pasi Tola, P.S. - Town Bettiah, Dist. - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Alok Kr. Alok, Adv
	:	Mr. Virendra Kumar, Adv
	:	Mr. Sadab Alam Wazdi, Adv
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-11-2025 Heard the parties.

2.The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Bettiah Cyber P.S. Case No. 33 of 2025 registered for the offences punishable under Sections 303(2), 319(2), 318(4), 317(2) and 317(5) of the BNS and Sections 66(C), 66(D) and 84(B) of the IT Act.

3. As per FIR, upon secret information a raid was conducted by police in the house of informant Irfan Akhtar from where his younger brother Irshad was arrested who during investigation disclosed the name of this petitioner, whereupon police further conducted raid in the house of this petitioner, where six cheque books, four pass books and ATM card was seized. Complaint against petitioner was also available on Cyber Fraud



Portal.

4. It is submitted by learned counsel appearing on behalf of the petitioner that seized ATM cards, cheque books and pass books belongs to the family members of this petitioner. It is pointed out that even for the search of premises compliance of Section 103(4) of the BNSS not appears followed, which makes entire seizure doubtful on its face. It is submitted that in view of same the recovery as alleged cannot be said to be recovered from the conscious physical possession of this petitioner, as to connect him with the present crime in question. While concluding arguments, it is submitted that petitioner found involved in one more criminal case where he is on bail

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as prima-facie alleged seized materials not appears to be recovered from the conscious physical possession of this petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned JMFC-IV, Bettiah, West Champaran/concerned Court, where the case is pending in



connection with Bettiah Cyber P.S. Case No. 33 of 2025, subject
to the conditions as laid down under Section 438(2) of the Cr.P.C/
Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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