

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82568 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- Cyber P.S. District- Nawada

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Jitender Kumar S/O Naresh Yadav R/O Vill.- Dhakwai, P.S.- Warisaliganj,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-12-2025 Heard Mr. Hansraj, learned counsel for the petitioner
and the State.

2. The petitioner is in custody in connection with Nawada Cyber P.S. Case No. 138 of 2025 for the offence punishable under Sections 303(2), 318(2), 318(4), 319(2), 336(2), 336(3), 338, 340(2), 111, 317(2), 317(5) and 61(2) of the Bhartiya Nyaya Sanhita lodged on 21.08.2025 by the informant, Neha Kumari.

3. As per the prosecution story, the Police on secret information about Cyber fraud raided the house of the petitioner. Those present wanted to escape but the petitioner was taken into custody and upon search, number of incriminating documents/mobiles recovered. This led to the FIR.

4. Learned counsel for the petitioner submits that the



though the FIR is exaggerated, the seizure list shows that only three mobiles beside a Union Bank passbook have been recovered which belong to the petitioner/family members. The Police only because he has a case under his belt, implicated him. The petitioner lives with his wife and children in the house and as such, it is unbelievable that he will be conducting cyber crime from the said place and also there is no allegation from any quarter.

5. Learned APP opposes the prayer for bail submitting that on secret information, the place was raided and incriminating documents/materials found.

6. Taking into account the submission of the parties as also the seizure list, he is in custody since 22.08.2025, FIR is there and he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

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 Additional Chief Judicial Magistrate – VI, Nawada in connection with Nawada Cyber P.S. Case No. 138 of 2025 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/her bona fide;

(ii) the petitioner 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(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 the bail bonds;

(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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