

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85465 of 2025

Arising Out of PS. Case No.-1902 Year-2025 Thana- Cyber P.S. District- Patna

Abhay Kumar Son of Suresh Chand Kapoor Resident of Mohallah- Peuni
Bagh, Ward No. 32, Road No. 1, P.S.- Bettiah Muffasil, District- West
Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Prakash, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Patna Cyber P.S. Case No. 1902 of 2025 registered for the offence punishable under Sections 318(4), 318(2), 319(2), 317(2), 317(4), 336(2), 336(3), 338, 340(2), 112(2) and Sections 61(2)(a) of the B.N.S., 2023 and Sections 66(c) and 66(d) of the I.T. Act.

3. The case of the prosecution is that on secret information, police raided flat no. 405, Premkunj Apartment, Patna, and from there three persons were apprehended who were found using mobile phones for fraudulent activities. During the search, the police seized 15 mobile phones, 61 ATM cards, a



laptop, an Airtel Extreme Box, and a diary containing suspicious account numbers. On being asked, the apprehended persons disclosed the *modus operandi*.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner submits that admittedly various ATM cards have been recovered, but there is no claimant of the ATM cards, and though there is an allegation that the petitioner along with others was indulged in cyber fraud, there is no specific complaint or claim against them as to whom they have cheated. From perusal of the order of the learned trial court, it is clear that the trial court has rejected the bail petition of the petitioner only on the ground that the petitioner is involved in cyber fraud and has already been charge-sheeted by police. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 31.08.2025.

5. The application for bail is opposed by the learned APP for the State and submits that there are complaints on the accounts that were found on the WhatsApp number of this



petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail with *the condition that the petitioner shall remain present on each and every date fixed by the learned trial court.* The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class-03, Patna in connection with Patna Cyber P.S. Case No. 1902 of 2025.

(Ashok Kumar Pandey, J)

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