

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2955 of 2025

Arising Out of PS. Case No.-65 Year-2024 Thana- Shahpur P.S. District- Nawada

Chhotu Kumar Son of Harkit Manjhi @ Harkheet Manjhi Resident of Vill-
Pahariya, P.S.- Sekhopursarai, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Shahpur P.S. Case No. 65 of 2024 instituted for the offences
under Sections 319(2), 318(4), 338, 336(3), 340(2), 317(5),
61(B) of the B.N.S. and Section 66, 66(B), 66(C), 66(D) of the
I.T. Act.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is of being indulged in
the Cyber fraud. The police has recovered several mobile
phones involved in the Cyber fraud as well as customer data
sheet from the possession of the apprehended co-accused
persons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case on the basis of suspicion. He further submits that there is no complaint whatsoever by any of the person regarding fraud being committed by the petitioner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no independent witness or eye-witness to the alleged occurrence. The petitioner has no concern with the alleged occurrence. The petitioner has also no concern with the other co-accused persons. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 07.08.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Ajit Kumar has already been granted bail by this Court vide order dated 16.12.2024 passed in Cr. Misc. No. 85058 of 2024.

6. On the other hand, learned A.P.P. for the State opposes the prayer for bail of the petitioner, stating that the



offence alleged is serious in nature and is related to Cyber fraud. The petitioner was arrested on spot and a Vivo company mobile phone and one four page customer data-sheet have been recovered from his possession and, hence, he does not deserve bail of this Court.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shahpur P.S. Case No. 65 of 2024.

(Rudra Prakash Mishra, J)

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