

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3667 of 2025

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

Nitish Kumar S/O Surendra Ravidas Resident of Village- Darshan Bigha,
P.S.- Shahpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Adv.
For the Opposite Party/s : Ms.Anita Kumari, APP

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

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Shahpur P.S. Case No. 65 of 2024 registered for the offences punishable under Sections 319(2), 318(4), 338, 336(3), 340(2), 317(5), 61(B) of the Bhartiya Nyaya Sanhita, 2023 and Sections 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 falsely been implicated in the present case only on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner was not arrested on spot and his name has surfaced in this case on the basis of the disclosures made by the apprehended co-accused persons. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence. Learned counsel for the petitioner further submits that the co-accused Ajit Kumar has been granted regular bail by this Court vide order dated 16.12.2024 passed in Cr. Misc. No. 85058 of 2024.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the offence alleged against the petitioner is serious in nature and is related to Cyber fraud. The name of the petitioner has transpired in this case on the basis of the statement made by the apprehended co-accused persons and, hence, he does not deserve privilege of anticipatory bail of this Court.

6. Considering the entire facts and circumstances of



the case and taking into account the submissions made by the learned counsel for the petitioner as also the petitioner having no criminal antecedent, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shahpur P.S. Case No. 65 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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