

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 1825 of 2026

Arising Out of PS. Case No.-16 Year-2025 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

Md. Naushad Alam S/O Md. Qurban R/O Rampur Chandrabhan @ Dagru,
P.S.- Mahuwa, Dist.- Vaishali.

... .. Petitioner/s

Versus

- 1. The State of Bihar Patna
- 2. Deputy Superintendent of Police cum Station House Officer, Economic
Offence Unit, Patna Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 1791 of 2026

Arising Out of PS. Case No.-16 Year-2025 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

Mukesh Kumar Son of Late Dashrath singh Resident Of Village- Nilkanthpur,
ps- Mahuwa, Dist- Vaishali

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Deputy Superintendent of Police Cum Station House officer, Economic
Offence Unit, Patna, Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 2603 of 2026

Arising Out of PS. Case No.-16 Year-2025 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

Md. Sakil Son of Late Rahmat Ali R/o Rampur Chandrabhan urf Dagru, P.S. -
Mahuawa, Distt. - Vaishali.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Deputy Superintendent of Police cum Station House Officer, Economice
Offence Unit, Patna. Bihar

... .. Opposite Party/s



Appearance :

(In CRIMINAL MISCELLANEOUS No. 1825 of 2026)

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate

Mr. Kumar Rajdeep, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 1791 of 2026)

For the Petitioner/s : Mr. Kumar Rajdeep, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 2603 of 2026)

For the Petitioner/s : Mr. Kumar Rajdeep, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
CAV ORDER

9 02-04-2026 Heard learned counsel for the petitioners and the

learned APP for the State.

2. The petitioners have prayed for bail in connection with Economic Offence Unit Case No. 16 of 2025 registered for the offence punishable under Sections 318(4), 319(2), 336(3), 338, 340(2), 111, 61(2), 3(5) of the B.N.S., 2023 Sections 42(1), 42(2), 42(3), 42(6) of the Tele Communication Act, 2023 and Sections 66, 66(c), 66(D), 72 of the I.T. Act.

3. The case of the prosecution, in short, is that police raided the house of Harshit Kumar situated in Ward No. 06, Village Gauspur, P.S. Karjain, District Supaul and certain recoveries were made from a SIM box and other instruments alleged to be used in making calls to various persons. The petitioner, Md. Naushad Alam, is a resident of Mahuwa in the district of Vaishali and runs a shop in the village of Rampur Chandrabhan urf Dagru, P.S. Mahuwa, District Vaishali and has



been selling mobile phone SIM cards for eight to ten years. It is alleged that the petitioner, namely Md. Naushad Alam, has sold 35 SIMs of the Airtel company to Harshit. It has further been submitted that the petitioners, namely Md. Naushad Alam and Mukesh Kumar, deal in SIM cards of all the companies, i.e., Jio, Airtel, etc., whereas the petitioner, namely Md. Sakil, does not deal in SIM card sales. Md. Naushad Alam is a retailer. At best, the mistake of the petitioners can be said to be selling a SIM card that has been misused by others from which, the petitioners have got no connection.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. He also submits that the petitioner, namely, Md. Naushad Alam is a bona fide retailer of the SIM. He is neither involved in any way with the cyber fraud nor has any proceeds of crime been received in his account. Learned counsel for the petitioners also submits that petitioners have been impleaded in this case only because petitioners are shopkeepers and the petitioner, namely, Md. Sakil's shop is adjacent to the shop of petitioner Md. Nausad Alam. He further submits that the petitioners have got no connection or involvement with the SIM business. The



petitioner, namely, Md. Sakil, is unaware of the reasons for his arrest. None of the suspicious SIM cards were generated through the petitioner, namely, Md. Sakil, nor has he issued any SIM, nor has any amount of cyber fraud been received by him. He also submits that the petitioner, namely, Mukesh Kumar, is also a resident of the Mahuwa district, Vaishali, and sells mobile SIMs. He has sold 12 SIM cards to Harshit Kumar which are alleged to be used in cyber fraud. He further submits that similarly situated co-accused, namely, Mukesh Mahto, has been granted bail by the learned coordinate bench of this court vide Cr. Misc. No. 3820 of 2026. The case of this petitioner stands on similar footing. He further submits that a statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Petitioners namely, Md. Naushad Alam and Md. Sakil are languishing in judicial custody since 22.07.2025 whereas petitioner namely, Mukesh Kumar is languishing in judicial custody since 21.07.2025.

5. As against this, the learned counsel for the EOU has vehemently opposed the application for bail and has stated that the SIMs sold by the petitioners were used for committing cyber fraud.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Economic Offence-cum-Additional Chief Judicial Magistrate in connection with Economic Offence P.S. Case No. 16 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

AFR/NAFR	NAFR
CAV DATE	19.03.2026
Uploading Date	02.04.2026
Transmission Date	02.04.2026

