

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3969 of 2026

Arising Out of PS. Case No.-67 Year-2025 Thana- Shahpur P.S. District- Nawada

Fantesh Kumar, S/o Mateshwar Singh, R/o Village-Bhagwatpur, P.S.-
Shahpur, Dist- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Shahpur P.S. Case No. 67 of 2025 registered for the offences under Sections 319(2), 318(4), 336(3), 338, 340(2), 317(5), 61(B), and 111 of the BNS and Sections 66-B, 66-C and 66-D of the I.T. Act.

3. The allegation against the petitioner is to indulge in cyber fraud along with other co-accused persons, who upon police raid apprehended and upon search, data sheet of customers running into five pages and three mobile phones were alleged to be recovered from their possession.



4. It is submitted by learned counsel appearing for petitioner that the name of this petitioner transpired on the basis of disclosure of apprehended co-accused persons, in furtherance of which, no incriminating material appears recovered from his possession as to connect with present crime in question. It is submitted that similarly situated co-accused persons have already been granted bail by one of learned co-ordinate Bench of this Court through Cr. Misc. No.82301 of 2025 dated 02.12.2025 and as a matter of judicial parity, the petitioner also deserves bail. The petitioner found involved in one more criminal case, where he is on bail.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as *prima facie* the name of petitioner transpired on the basis of suspicion arising out of disclosure of the apprehended co-accused persons, where admittedly incriminating materials not appears to be recovered from physical possession of this petitioner, accordingly, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be



released on bail in connection with Shahpur P.S. Case No. 67 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Nawada/concerned court, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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