**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.16508 of 2026**

Arising Out of PS. Case No.-141 Year-2025 Thana- Cyber P.S. District- Nalanda

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Avinash Kumar S/o Avadhesh Prasad R/o Village - Heganpura, P.S - Noorsarai, District - Nalanda

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**

ORAL ORDER

3 22-04-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail in connection with Nalanda Cyber P.S. Case No. 141 of 2025 registered for the offence punishable under Sections 318(4), 336(3), 319(2) of the B.N.S., 2023.

3. The case of the prosecution, in short, is that on the cyber portal of the police, a complaint of cyber fraud was received regarding mobile number 9122174423, and accordingly, at the location of this mobile number, the house was searched, and from there, the petitioner was arrested, and from his possession, a mobile of the Oppo company and a mobile of the Vivo company were recovered.

4. Learned counsel appearing on behalf of the

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petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that from perusal of the FIR, it is clear that only on mobile number 9122174423 there is WhatsApp, and on another mobile, there is no WhatsApp. He further submits that from perusal of the FIR, it will transpire that altogether there are seven complaints against the petitioner for committing cyber fraud. He further submits that from perusal of the case diary, it will transpire that only two persons have complained regarding the cyber fraud. He also submits that the mobile number that they have disclosed does not belong to the petitioner. He further submits that regarding other cases, police have not made any verification. Moreover, 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 07.12.2025.

5. Countering this, the application for bail is vehemently opposed by the learned APP for the State and submits that from perusal of the FIR, altogether seven complaints are there against the petitioner and all of them are against the same IMEI number, which belongs to the petitioner.

6. Though police have verified only two complaints,

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the petitioner cannot deny other complaints, as the same IMEI number has been used to commit cyber fraud. Cyber fraud is a menace to society.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail at this stage, however the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

8. Learned trial court is directed to expedite the trial and conclude the same within the stipulated period of time.

**(Ashok Kumar Pandey, J)**

Sudhanshu/-

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