

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31367 of 2026

Arising Out of PS. Case No.-494 Year-2025 Thana- WARISLIGANJ District- Nawada

Sharwan Kumar S/O Anup Prasad Resident Of Village- Paingari, PS-
Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with Warisaliganj P.S. Case No. 494 of 2025 lodged on 18.09.2025, for the offence punishable under Sections 303(2), 318(2), 318(4), 336(2), 340(2), 111 & 61(2) of the Bharatiya Nyaya Sanhita, 2023 and sections 66, 66(B), 66(C) & 66(D) of the I.T. Act, 2000.

3. As per the prosecution, FIR has been lodged against 13 named accused persons including the present petitioner with allegation that the police upon secret information regarding involvement of some persons in cyber fraud, surrounded the house of one Brijnandan Prasad of village-Pangri. Thereafter, six persons were apprehended and they have disclosed the name of other accused persons including the petitioner, who



succeeded to fled away after seeing the police.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that name of the petitioner has come in this case only by virtue of confessional statement of co-accused. Counsel submits that on previous occasion, case diary was called for. He further submits that the petitioner has clean antecedent and he is ready to fulfill all the conditions whatsoever shall be imposed upon him. He submits that one of the co-accused has already been granted anticipatory bail by the Co-ordinate Bench of this Court *vide* order dated 13.05.2026 passed in Cr. Misc. No. 30992 of 2026. Counsel further submits that the punishment in cyber fraud is fine upto Rs. 1 Lakh and he is ready to deposit the said amount before the trial court subject to decision of the finality of the case.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that in the case diary, the name of the petitioner has come by virtue of confessional statement of the co-accused and it has been accepted that they used to do cyber fraud from the house of Brijnandan Prasad. He submits that not only the confessional statement, rather, the entire report of the C.D.R and the entire



modus operandi by way of calling to different persons, have been indicated in the case diary. Counsel further submits that the accused persons including the petitioner have done cyber fraud in group.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on bail, ***subject to payment of Rs. 1,00,000/- (Rupees One Lakh Only) before the learned Trial Court which shall be outcome of the present case***, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of A.C.J.M-IV, Nawada, in connection with Warisaliganj P.S. Case No. 494 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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