

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32707 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- Cyber P.S. District- Aurangabad

Sandeep Kumar, Male, aged about 24 years, S/o Surendra Shah @ Surendra Saw, R/o- Village-Mahuaawan @ Mahuawan, P.S.- Madanpur, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 23-07-2026 Heard learned counsel for the petitioner, learned APP for the State and perused the case diary.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 303(2), 318(4), 319(2), 336(3), 112(2) and 3(5) of the BNSS, 2023 and Sections 66(C) and 66(D) of the Information Technology Act.

3. Case of the informant, in brief, is that on 27.02.2026, from Economic and Cyber Crime Division, Bihar, Patna, it has been reported that by cyber fraud, fraudulent transactions amounting Rs.73,50,000/- were deposited into the account of ESAF Small Finance Bank bearing no.20250000005555 (Mule Bank Account) between 05.06.2025 to 07.06.2025 and during investigation, the petitioner alleged in



his statement that he provided his account no.20250000005555, CIF ID-250000243937 as well user ID and Password of the said account to co-accused Ramesh Singh.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to ulterior motive of the informant. He next submits that nothing has been occurred as alleged in the FIR and the informant has created a false story to implicate the petitioner in this case and the petitioner is a rural person who is self victim of this case because he has also lost his own money due to this fraud. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 09.03.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner has indulged in the cyber crime, which is in modern times is prevalent and the whole society is suffering from it and this is very serious offence.

6. On perusal of the first information report, case diary and impugned order dated 18.04.2026, it appears that in fact, the Bank Account No.20250000005555, opened in the name of the petitioner, was utilized for illegal transaction amounting to Rs.73,50,000/- within a short period and the said



account has been linked with the multiple cyber fraud complaints. Moreover, it appears that there is direct involvement of the petitioner which is serious in nature involving cyber crime. Recently, Hon'ble Chief Justice of India Surya Kant famously referred to cyber criminals as “parasites” during a Supreme Court hearing on cyber fraud where he made these sharp oral observations while refusing bail to an accused scammer, stating that such individuals “take money from investors and dupe them.” The strict remarks were made on 17/06/ 2026 by a Vacation Bench in *Manoj Kumar Singh v. State of Bihar And Ors. (W.P.(Crl.) No. 213/2026 X)* while dismissing a writ petition filed by a suspect involved in laundering investments, the Bench emphasized the pan-India nature of these crimes and stressed that “society's interest is only that you should be inside jail.” Notably, the Court maintained that it has to be “very harsh on cyber criminals” because victims are scattered across the country and the crimes are highly organized, the Court stated that keeping offenders behind bars is vital for the protection of society. In the present case, the crime committed is pervasive in nature and many people are getting entrapped causing mental harassment and financial discomfort in our country and the instant case is a befitting example of the



cyber crime, so I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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