

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33835 of 2026

Arising Out of PS. Case No.-95 Year-2025 Thana- Cyber P.S. District- Purnia

1. Santosh Bishwas @ Santosh Kumar S/O- Sushil Bishwas R/V- Rasadh Ward No- 06, Ps- Banmankhi Dist- Purnia
2. Ritesh Bishwas @ Ritesh Kumar S/o- Sushil Bishwas R/v- Rasadh ward no- 06, Ps- Banmankhi Dist- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-07-2026 Heard the parties.

2. The petitioners seeks bail in connection with Cyber P.S. Case No. 95 of 2025 registered for the offence under Sections 204, 205, 318(2), 318(4), 319(2) of BNS and Section 66, 66(C), 66(D) of IT Act.

3. The accused/ petitioners are named in the F.I.R. and they are in custody since 03.01.2026.

4. The allegation against the petitioners is to commit Cyber fraud alongwith co-accused persons where Rs. 20,000/- was fraudulently transferred by impersonating former Principal District Judge, Sitamarhi, Bihar.



5. Learned counsel appearing on behalf of the petitioners submitted that alleged transaction of Rs. 20,000/- was made by using SIM no. 9006973701 which was issued in the name of Chandrapal Mukhiya. It is pointed out that petitioner no. 1 is running POS (Point of Sale) as an agent and he was involved in activating aforesaid SIM number which was involved in transfer of cash and with said reason he was implicated with present crime in question. It is submitted that petitioner no. 1 activated SIM in his professional capacity and therefore, he was implicated for no reason with present offence. It is submitted that petitioner no. 2 implicated with present crime in question just for the reason that he is brother of petitioner no. 1, and even the allegation of activating SIM is not available against him. While concluding the argument, it is submitted that petitioners claimed clean antecedent and moreover, investigation of this case is completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submission and by



taking note of fact as SIM, in issue, through which alleged fraud was committed was not issued in the name of petitioner no. 1, rather he alleged to activate the same in his professional capacity, where petitioner no. 2 implicated for the reason that he is associated with petitioner no. 1 as brother, accordingly both above-named petitioners who are in custody since 03.01.2026, are directed to be released on bail in connection with Cyber P.S. Case No. 95 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of learned CJM, Purnea /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

8. Learned trial court is directed to verify the criminal antecedent of above-named petitioners, and if they found in any other case except the present case, their bail shall be canceled.

(Chandra Shekhar Jha, J)

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