

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33861 of 2025

Arising Out of PS. Case No.-92 Year-2024 Thana- Cyber P.S. District- Muzaffarpur

Mayank Mohan S/o Subodh Kumar Tiwari @ Subodh Tiwari R/o village -
Sonbarsa, P.S. - Kanti, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr. Thakur, Adv
: Mr. Alok Kr. Alok, Adv
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP
For the Informant : Mr. S.B.K. Mangalam, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 12-01-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Cyber P.S. Case No. 92 of 2024 registered for the offences punishable under Sections 419, 420, 120(B), 379, 462, 463, 467, 468, 406 of the IPC and 66 (C) and 66(D) of the IT Act.

3. As per FIR, petitioner alleged to operate current account no. 486005500055 of informant with ICICI Bank, fraudulently.

4. Mr. Ajay Kr. Thakur, learned counsel appearing on behalf of the petitioner submitted that out of acquaintance being operator of CSC (Common Services Centers) petitioner



helped informant to open two bank accounts with ICICI Bank, one was saving and other was current account. It is pointed out that the mobile no. 9801955250, which was admittedly of petitioner was given to the bank under consent of informant along with mobile no. 9801905525. It is further submitted that mobile of recovery SMS for e-mail id – mayank.muz0709@gmail.com, was not belongs to this petitioner as same was in the name of S.Kumar.

5. Arguing further, it is submitted that even bank authority is silent to disclose that from which source amount of Rs. 1.75 crores was sent to the current account of informant and further to whom it was transferred by petitioner as alleged and as such merely on the basis of suspicion petitioner was implicated with present case. It is submitted that admittedly in the opening of account aadhar card and pan card belongs to the informant was used and therefore, to save his skin from the criminal prosecution he lodged present FIR after a delay of about one year without any explanation. It is submitted that no FIR as yet was lodged by bank authority against this petitioner.



6. Explaining criminal antecedents, it is submitted that petitioner found involved in four criminal cases i.e., Cyber P.S. Case No. 92 of 2024, Kanti P.S. Case No. 635 of 2021, Kanti P.S. Case No. 990 of 2024 & Karja P.S. Case No. 83 of 2025 only where he is on bail.

7. Learned APP opposed the bail. Mr. S.B.K. Mangalam learned counsel for the informant while opposing the prayer of bail submitted that it was mobile number of petitioner to which OTP of transaction was sent by the bank in terms of letter dated 05.05.2025. However, it is conceded that account in issue was in the name of this informant for opening the same aadhar card and pan card of the informant was used.

8. In view of aforesaid factual submission and by taking note of fact as present FIR was lodged after passing more than a year by the informant, where till date admittedly no action was initiated against petitioner by the concerned bank and moreover informant did not suffered any financial loss from the aforesaid transaction, accordingly petitioner above-named, 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, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM (West), Muzaffarpur/concerned Court, where the case is pending in connection with Cyber P.S. Case No. 92 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS with a condition:-

(a). Learned Trial Court is directed as not to accept the bail bond of petitioner if he found involved in more than four cases, in view of submission as discussed aforesaid.

(Chandra Shekhar Jha, J.)

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