IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42817 of 2026

CNR No. BRHC010602712026

Arising Out of PS. Case No.-189 Year-2026 Thana- RAJGIR District- Nalanda

==========

Rajiv kumar @ Rajeev kumar Son of Janaran Mistri Resident of Village-Sabalpur, P.S.-Rajgir, District- Nalanda.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Anuj Kumar, Advocate
Mr. Kumar Jay, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

==========

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

6 18-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in connection with Rajgir P.S. Case No. 189 of 2026 registered for the offence punishable under Sections 316(2), 319(2), 318(4), 303(2), 336(2), 338, 336(3), 61 of the BNS and Section 66c and 66D of the I.T. Act.

3. As per the prosecution case, the informant, who happens to be a police officer, received secret information that some persons were indulging in cyber fraud by making calls to people through their mobile phones. It was also informed that one Glamour motorcycle bearing registration No. BR-21Q-3734

WEB COPY

was parked near Dharampura Temple. Thereafter, a raiding party was constituted, and upon reaching the place of occurrence, the police party saw three persons sitting in a wheat field and talking on their mobile phones. On seeing the police party, the said persons started fleeing, whereupon two of them were apprehended, while the third managed to escape. The apprehended persons disclosed their names as Dinesh Mistry and Krishna Kumar, whereas the petitioner is stated to be the person who fled from the place of occurrence. Upon search, two mobile phones were recovered from the possession of Krishna Kumar, whereas two mobile phones, three ATM cards and details of four bank accounts were recovered from the possession of Dinesh Mistry. Further, upon examination of the WhatsApp messages available on the seized mobile phone, several fake bills of UltraTech Cement and a voucher for Rs. 15,000/- were found. On being questioned about the seized articles, both the apprehended persons failed to give any satisfactory explanation. They further disclosed that they used to cheat people on the pretext of placing orders for cement and extort money from them by making phone calls and repeatedly inducing them to transfer money into fake bank accounts.

4. Learned counsel for the petitioner has submitted

WEB COPY

that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that the name of the petitioner has transpired on the basis of the confessional statements made by the apprehended co-accused persons before the police while in police custody, which have no evidentiary value. It has also been submitted that there is no material to suggest any connection between the petitioner and the apprehended co-accused persons. Moreover, the articles recovered from the co-accused persons do not belong to the petitioner. Lastly, it has been submitted that the petitioner has clean criminal antecedents, as stated in paragraph 3 of the bail petition.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case, particularly the seriousness of the allegations, the recovery of incriminating articles from the apprehended co-accused persons and the modus operandi disclosed by them, which involved deceiving people by placing orders for UltraTech Cement and extorting money from them through fake bank accounts, as also the confessional statements of the co-

WEB COPY

accused persons indicating the involvement of the petitioner in the cyber fraud along with them, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail is hereby rejected.

(Praveen Kumar, J)

Jyoti/-

U		T	

WEB COPY