

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42939 of 2026

Arising Out of PS. Case No.-43 Year-2026 Thana- GRIYAK District- Nalanda

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Dhiraj Kumar S/O Tapeswar Prasaad R/O Village- Jawaharchak, P.S.-
Katrisarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-07-2026 Heard Mr. Sunil Kumar, learned counsel for the

petitioner and Mr. Nand Kishore Prasad, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
22.01.2026, in connection with Giriya (Katrisarai) P.S. Case
No. 43 of 2026, F.I.R. dated 21.01.2026 registered for the
offences punishable under Sections 316(2), 318(4), 319(2),
336(3), 338, 340(2), 61(2), 3(5) of the B.N.S., 2023 and Section
66(D), 66(c) of the I.T. Act.

3. As per the prosecution case, the informant, along
with police party, reached at the place of occurrence, wherein
the informant found some persons seated there and , whereas
probably engaged in cyber fraud, the persons sitting there
started fleeing away, while the petitioner along with co-accused



persons were arrested at the spot. They were searched and from the possession of the petitioner one screen touch mobile was recovered and from other co-accused persons different mobiles and other articles were found.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and on the basis of suspicion, the petitioner has been made accused in the present case. It appears from the F.I.R. as well as seizure list that no incriminating article has been recovered from the possession of the petitioner only one POCO mobile phone and three pages of order sheet relating to delivery of Ayurved was also recovered from the possession of the petitioner. He further submits that the petitioner has been made accused in the present case on the basis of suspicion and co-accused persons, namely, Kundan Kumar, Vikash Kumar, Ranvir Kumar @ Ranveer Raj have been granted bail by a Coordinate Bench of this Court vide order dated 04.05.2026 passed in Cr. Misc. No. 18441 of 2026, another co-accused person, namely, Tinku Kumar has been granted bail by this Court vide order dated



12.05.2026 passed in Cr. Misc. No. 32157 of 2026, another co-accused person, namely, Akhilesh Kumar has been granted bail by this Court vide order dated 18.06.2026 passed in Cr. Misc. No. 35938 of 2026 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and similarly situated co-accused persons have been granted bail by this Court or by a Coordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Giriyak (Katrisarai) P.S. Case No. 43 of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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