**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.44223 of 2026**

Arising Out of PS. Case No.-3 Year-2024 Thana- Cyber P.S. District- Khagaria

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Rohit Kumar S/O Vinod Saw R/O Vill.- Ahra Patam, P.s.- Narayam Nagar, Dist.- Munger, Bihar.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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**Appearance :**
For the Petitioner/s : Mr.Arvind Kumar, Advocate
For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**

ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The accused-petitioner, not named in the F.I.R., is apprehending his arrest in connection with Cyber P.S. Case No. 03 of 2024 registered for the offences punishable under Sections 419, 420, 379 of the Indian Penal Code and 66(D) of the I.T. Act.

3. As per FIR, the informant was asked to transfer Rs. 75,000/- to Mobile No. 7545827189 by some unknown persons introducing him as police personnel against release of his son arrested at Ranchi. Subsequent to the call, informant transferred Rs. 30,000/- to the aforesaid mobile number and, thereafter he called his son and came to know that he was cheated as no such occurrence took place with his son at Ranchi.

4. Learned counsel appearing on behalf of the petitioner

submitted that petitioner was not named in the FIR and the mobile number i.e. 7545827189, which alleged to be involved in the present occurrence and was used for alleged transfer of money, was not in the name of this petitioner. It is also pointed out that the amount of Rs. 30,000/-, which was transferred by the informant, was transferred to the account of one Lalu Kumar.

5. It is submitted that on the basis of confessional statement of co-accused persons, it transpired during investigation that the aforesaid mobile number was also used by this petitioner, and for said suspicion only the name of this petitioner was implicated with present crime in question, who is otherwise a man of clean antecedent.

6. Arguing further, it is submitted that the matter was now compromised between the parties and co-accused Shubhankar Kumar, in furtherance of the compromise, returned Rs. 30,000/- to the informant. In this connection, attention of this Court was drawn towards Annexure '2' where during court examination, the informant categorically stated that on 29.10.2025 the amount which was transferred by him to Mobile No. 7545827189, has already been returned to his account.

7. Learned A.P.P. for the State opposes the prayer for

anticipatory bail of the petitioner.

8. In view of the aforesaid factual submissions and by taking note of the fact as implication of this petitioner *prima facie* appears on the basis of suspicion, where the statement of the informant *prima facie* suggest that he received the cheated amount as alleged, accordingly, above-named petitioner, who is a man of clean antecedent, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Khagaria/concerned court in connection with Cyber P.S. Case No. 03 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

**(Chandra Shekhar Jha, J)**

Rajeev/-

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