

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64104 of 2025

Arising Out of PS. Case No.-36 Year-2024 Thana- Cyber P.S. District- Saharsa

1. Neeraj Kumar @ Niraj Kumar S/o Ramanand Yadav R/o Vill- Rampur Ward NO. 13, Rahua, P.S.- Sour Bazar, Distt- Saharsa
2. Rakesh Kumar Thakur @ Rakesh Thakur S/o Late Jaikant Thakur @ Late Jaykant Thakur R/o Vill- Rampur ward no 14, Rahua, P.S.- Sour Bazar, Distt- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Sharda Kumari

Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 24-02-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Cyber (Saharsa) P.S. Case No. 36 of 2024 dated 21.05.2024 registered under Section 419, 420, 465, 467, 468, 471, 472, 34 of the I.P.C. and Section 66 / 66(D) of the I.T. Act.

3. The prosecution story in short is that on 21.05.2024 at around 10:30 P.M. the Police Inspector of Saharsa Sadar Cyber P.S. received a secret information that some people were making fake death certificate through electronic equipment and



illegally withdrawing money under Labor Department scheme in the house of Md. Naushad. He along with his team reached at the house of Md. Naushad. Upon seeing the police team some 5-6 miscreants tried to flee away in which two miscreants were caught who told their name as Md. Naushad and Punit Kumar. Upon search, large number of documents of other persons were found in the almirah of Md. Naushad. A large number of documents along with mobile and seal were recovered from the possession of Punit Kumar. Upon interrogation, both apprehended accused persons disclosed the name of other miscreants as Sanjit Kumar, Brajesh Kumar, Rakesh Thakur (petitioner no. 2), Niraj Kumar (petitioner no. 1), Sonu Kumar, Santosh Kumar and Roushan Kumar.

4. Learned counsel for the petitioners submits that petitioners are innocent and have not committed any offence in the manner alleged. He submits that Punit Kumar was Mukhiya representative and he came to the photostat shop for the purpose of photo copy of panchayat documents as well as xerox copy of his and his family's Aadhaar Card where Police arrested Punit Kumar mere on suspicion. The arrested co-accused Punit Kumar and Md. Naushad disclosed the name of the petitioners and others as their accomplice involved in the alleged crime. Nothing



has been recovered from the conscious possession or from the house of the petitioners. The recovery of documents, mobile and seal has been made from the house of arrested co-accused persons. The petitioners did not withdraw money from Labour Department of the Government scheme or on behalf of beneficiaries. No private person complained either before the police or Labour Department that his / her money has been withdrawn by the petitioners in any manner. The petitioners have no criminal antecedent.

5. I have heard learned counsel for the petitioners and perused the materials available on record. The petitioners along with other co-accused persons all unanimously by luring innocent people with money through electronic devices took the documents of the deceased's Aadhaar Card, labour card and other documents from the family members of the deceased-labourers previously registered with the Labour Department. By making fake death certificates and opening bank accounts of the dependents of the deceased they make illegal withdrawal of the compensation meant for the dependents of the deceased under the Labour Department scheme.

6. It appears that all the accused persons have formed a gang to defraud innocent public and government department.



7. Huge documents including Aadhaar Cards, Pass Books have been recovered having larger ramification for which further investigation of other accused persons whose names has been disclosed by apprehended accused persons may be required. Accordingly, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected.

(Anil Kumar Sinha, J)

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