IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65157 of 2026
CNR No. BRHC010915592026
Arising Out of PS. Case No.-654 Year-2026 Thana- SIWAN CITY District- Siwan

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Shahid Ali Son of Md. Zakir Resident of Mohalla - Sheikh Mohalla, P.S.- Siwan Tonw, Dist.- Siwan

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 29-10-2026 Heard the parties.

2. The petitioner seeks bail in connection with Siwan Town P.S. Case No. 654/2026 registered for the offence under Sections 316(2), 318(4), 338, 336(3), 61(2) and 340(2) of the BNS and Sections 66(C) and 66(D) of the IT Act.

3. The petitioner is named in the F.I.R. and is in custody since 03.07.2026.

4. The allegation against the petitioner is to engaged in illegal transaction of Rs. 2 Crores in last one year of lodging of FIR. Upon search 10 passbooks of different bank were found from the shop of the petitioner, which was either in his name or in the name of his parents.

5. Learned counsel appearing on behalf of the petitioner submitted that explanation for holding such passbooks

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is available in FIR itself, as same was opened upon request of maternal uncle of the petitioner, who was working in Dubai for payment of family of labours residing in India. It is submitted that for each transaction of Rs. 1 lakh in India, petitioner was given benefit of Rs. 600/-, petitioner being unemployed accepted the offer of his maternal uncle. It is submitted that in good faith several bank accounts were opened in his name and in name of his parents.

6. Arguing further, it is submitted by learned counsel that the allegation may support violation of Income Tax Act/Rule, but it is not a case of cyber fraud, in view of explanation as available in FIR, itself. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. In view of aforesaid factual submission and by taking note of fact as allegation prima-facie not convincing *qua* cyber fraud, coupled with fact as investigation of this case has already completed, where in petitioner remains in custody since 03.07.2026 being clean antecedent, accordingly petitioner above

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named, is directed to be released on bail in connection with Siwan Town P.S. Case No. 654/2026 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Siwan/concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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