IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77523 of 2026

CNR No. BRHC010927002026

Arising Out of PS. Case No.-83 Year-2026 Thana- Cyber P.S. District-Gopalganj

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Arun Kumar S/o Amar Manjhi Resident of Village- Brindaban, PS-Uchkagaon, Dist.- Gopalganj

... ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sushil Kumar, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with B.P. No.689 of 2026 arising out of Gopalganj cyber P.S. Case No. 83 of 2026 registered for the offences punishable under Sections 316(2), 318(4), 319(2), 3(5) of the BNS and 66(C) and 66(D) of the I.T. Act.

3. As per the FIR, it is alleged that the petitioner along with the other accused persons were indulged in cyber crime and had withdrawn lakhs of rupees from NCRC portal.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and there is no specific allegation of petitioner having been involved in such transactions. It has further been submitted that the petitioner's

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account has, in fact, been used by the co-accused, Aditya Kumar and he was not even aware of such illegal transactions being carried out. It has also been pointed out that no incriminating article was made from the physical possession of the petitioner and in fact, the petitioner himself has been cheated by the co-accused. It has lastly been submitted that the petitioner is a young person and has one criminal antecedent, however not under the relevant I.T. Act, but of Excises Act. It has been noted that the petitioner is in custody since 03.05.2026.

5. The learned A.P.P. has vehemently opposed the prayer for bail and has stated that the petitioner and the others have misappropriated a huge amount by illegal and fraudulent withdrawal from the bank account.

6. Having heard the learned counsel for the parties and taking into account the fact that there is no recovery of any incriminating material from the petitioner and also the fact that the allegations are based on suspicion, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with B.P. No.689 of 2026 arising out of Gopalganj cyber P.S. Case No. 83 of 2026, subject to the following conditions:-

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(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 antecedent, 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.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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