IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68006 of 2026

CNR No. BRHC010954582026

Arising Out of PS. Case No.-5 Year-2023 Thana- Cyber P.S. District- Buxar

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Sujit Paswan @ Sujit Pasman S/O Sanjay Paswan @ Sanjay Pasman Resident Masaldaha Bazar, P.S- Harishchandrapur, Distt.- Malda (West Bengal).

... ... Petitioner/s

Versus

1. The State of Bihar
2. The Cyber Crime Security Unit (C.C.S.U) through the S.P Patna, Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajit Kumar, Adv
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

4 27-10-2026 Heard the learned counsel for the petitioner, the learned counsel appearing on behalf of the Cyber Crime Security Unit and the learned APP for the State.

2. The petitioner seeks bail in connection with Buxar (Cyber) P.S. Case No. 05 of 2023, registered for an offence under Sections 419, 420, 467, 468, 471 of I.P.C & Sections 66(C), 66(D), 66 of I.T. Act.

3. As per the prosecution story, which has been lodged on the basis of written report submitted by the informant to the effect that on 15.06.2023, he received a call on his mobile number from mobile no. 7509736450 and he was told to get a demat account opened and to invest in share market. He was

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lured that out of the profit, he will have to give 25 % and the remaining amount he can withdraw. He was asked for his Aadhar Card and Pan Card and his account was opened. He was told to deposit Rs. 100/- and thereafter 5,000/- out of which Rs. 367/- and Rs. 1,728/- was sent towards profit in his account. Thereafter the informant was directed to deposit Rs. 10,000/- in the said account and sale and purchase of share was started. He was sent a false screenshot on 06.07.2023 towards profit of Rs. 1,29,597/- from the same number and he was told to send 25 % of the amount of profit, thereafter he can withdraw the remaining amount. The informant accordingly deposited Rs. 10,000/- and 22,400/-. Thereafter he again received a call and he was told to deposit Rs. 30,000/-, which the petitioner did by depositing Rs. 15,000/- and 5,000/-. Thereafter the informant received another call from mobile no. 9669735342 and he was told to deposit 18 % towards GST, however the informant did not deposit a single peny. The total amount deposited by the informant was to the tune of Rs. 82,500/-. On the basis of the written report submitted by the informant, the present FIR has been lodged.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any

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offence. He submits that the informant received a call on his mobile number from two mobile numbers, to operate in the share market and later on he came to know that Cyber frauds have committed forgery against him. He submits that during course of investigation, it has come that the amount defrauded from the informant was deposited in different accounts. The name of the petitioner transpired during course of investigation as one of the account holders, in whose name an account was opened with Ratnakar Bank in Kolkatta. The account was in the name of the petitioner under the trade name of Sujeet Traders. The learned counsel for the petitioner further submits that the petitioner is a labourer and works under one Jimmy Agrawal, who is also one of the accused in the present case and was known to the petitioner. He had assured job to the petitioner in his shop and has taken documents for opening a job card, however he opened the bank account in his name, without any knowledge of the petitioner. He lastly submits that the petitioner suo moto appeared before the police and was taken in custody and the petitioner is in custody since 17.06.2026, without any criminal antecedent.

5. *Per contra,* the learned counsel appearing on behalf of the Cyber Crime Security Unit submits that during

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course of investigation, it transpired that in the bank account of the peitioner in the Ratnakar Bank, total transactions to the tune of Rs. 62,24,869/-, was credited and the total lien amount in the account was Rs. 79,76,279/-. He submits that the account in which some of the amounts were transferred belongs to the petitioner in Ratnakar Bank Limited at Kolkatta bearing account no. 409001996440, therefore it can be said that the petitioner was invovled in the crime in question and huge sum was credited in the said bank account. He submits that during course of investigation, the name of the petitioner transpired and there are sufficient materials in the case diary to support the case of the prosecution.

6. The learend APP for the State also opposes the prayer for bail of the petitioner and submits that the petitioner and others cheated the informant and therefore the petitioner does not deserve the privilege of bail.

7. Having considered the rival submissions and after going through the records, it appears that initially FIR was lodged against unknown. Durign course of investigation, the name of the petitioner as well as some other accused transpired. From perusal of the case diary, it would transpire that a bank account was existing in the name of the petitioner in Ratnakar

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Bank Limited at Kolkatta, wherein huge sum was credited and withdrawn. Rs. 10,000/- was also credited by the informant in the bank account existing in the name of the petitioner. It has further come during course of investigation that against the bank account existing in the name of the petitioner in Ratnakar Bank Limited, total 16 complaints have been lodged in different States and 3 criminal cases are pending against the said bank account in different States. The account has been freezed by the investigating agency. Considering that the bank account was existing in the name of the petitioner and amount was transferred in the said bank, by the informant. Further in the bank account of the petitioner, huge sum was credited during a short span of time, which suggests his involvement in the crime in question. Considering the above, this Court is not inclined to grant the privilege of bail to the petitioner.

8. Accordingly, the prayer for bail petition of the petitioner is hereby rejected.

shital/- **(Ritesh Kumar, J)**

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