IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69852 of 2026

CNR No. BRHC011008522026

Arising Out of PS. Case No.-42 Year-2026 Thana- Cyber P.S. District- Bhagalpur

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Subhash Bharti S/o Bajrangi Mandal R/o Mohalla- Bhatauriya, P.S- Madhusudanpur, Distt.- Bhagalpur.

... ... Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Cyber Crime Security Unit through SP Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashi Kant, Adv.
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP.
For the CCSU : Mr. V.N.P. Sinha, Sr. Adv.
Mr. Vijay Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

6 18-11-2026 Heard the learned counsel for the petitioner and the learned senior counsel for the CCSU as also the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Cyber P.S. Case No. 42 of 2026, registered for the offences punishable under Sections 318(4), 319(2) of the BNS and Sections 66(c) and 66(d) of the I.T. Act.

3. Allegedly, the petitioner opened a bank account bearing A/C No. 5877069355 and, in connivance with the co-accused, handed over its ATM card and passbook to co-accused Raja Sah for consideration of Rs.

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2,000/-. It is further alleged that 20 complaints relating to online financial fraud were registered against the said account on the NCRP portal in different States and the account was subsequently transferred to co-accused Amit Yadav @ Rahul Yadav for use in cyber fraud activities.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case merely on suspicion. He has further submitted that the petitioner had no knowledge that he would be duped by the co-accused, Dinesh Kumar Soni and other accused persons. He has also submitted that neither any amount has been credited nor any amount has been withdrawn from the account in question (petitioner's bank account). The allegation against the petitioner is confined to the fact that he had received Rs. 2,000/- for opening bank accounts in different banks. The learned counsel has next submitted that the co-accused, Dinesh Kumar Soni, at whose instance the petitioner's bank account was opened, has already been granted bail by the learned Judicial Magistrate-Ist Class, Bhagalpur, vide order dated 23.06.2026. The charge sheet has already been submitted in

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the case. It has further been submitted that the petitioner, being an unemployed person, has been trapped by the other accused persons. The petitioner is involved in two other cases also. He has been in judicial custody since 21.05.2026. Lastly, the learned counsel for the petitioner undertakes that the petitioner shall cooperate with the trial and shall not indulge in the commission of any offence in future.

5. On the other hand, the learned counsel for the CCSU has opposed the prayer for bail by submitting that the petitioner had sold approximately 7 to 8 bank accounts to co-accused Raja Sah and had thereafter opened 10 to 12 bank accounts in different banks across the State. He has further referred to paragraphs 32 and 33 of the case diary in support of his submission.

6. Taking into consideration the entire facts and circumstances of the case, coupled with the fact that the petitioner has neither misappropriated any amount, nor has any amount been credited to his bank account or any amount has been withdrawn by him and further he has undertaken to cooperate with the trial, the petitioner above-

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named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned J.M.-Ist Class/concerned Court, Bhagalpur in connection with Cyber P.S. Case No. 42 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) Before release, the learned court below shall verify the criminal antecedents of the petitioner and if he is found involved in any case other than the two cases as mentioned in paragraph no. 3 of the main bail petition his bail bond will not be accepted. The cases mentioned in paragraph no. 3 of the main bail petition are as follows:-

(a) Madhusudanpur P.S. Case No. 61 of 2017.

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(b) Navgachhia P.S. Case No. 22 of 2025.

(v) It is also made clear that there shall be no delay in verifying the criminal antecedent of the petitioner and the delay shall not extend beyond a period of ten days.

(vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(vii) It goes without saying that in the event, the petitioner fails to cooperate with the trial, the informant shall be at liberty to move an application before the learned court below seeking cancellation of the petitioner's bail bond.

(Raj Kumar, J)

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