IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75752 of 2026

CNR No. BRHC011074232026

Arising Out of PS. Case No.-10 Year-2025 Thana- Cyber P.S. District- Vaishali

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Rahul Kumar Son of Sri Dukhan Sahni Resident of village - Pahetiya, P.S.- Kajipur, District- Vaishali.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Purushottam Kumar, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Cyber P.S. Case No. 10 of 2025, registered for the offences punishable under Sections 316(2), 318(2), 318(4), 319(2), 336(2), 338, 340(2), 3(5) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 66(C) and 66(D) of Information Technology Act.

3. As per the prosecution case, acting on secret information received on 12.04.2025, the police raided the house of Mandip Kumar on 13.04.2025 and apprehended Mandip Kumar and Nikhil Kumar. Various articles,

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including mobile phones, a laptop, SIM cards, an ATM card, a fingerprint scanner, documents, photographs and files relating to government schemes, were allegedly recovered from their possession. During interrogation, they allegedly disclosed that the petitioner, Rahul Kumar, and the Mukhiya of village Pahetiya had assisted them in committing fraud in the name of Dhanvi Finance Service Limited, MGNREGA, Fino Payments Bank and other schemes.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that no incriminating material has been recovered from the conscious possession of the petitioner and his name surfaced in the present case only on the basis of the disclosure statements of the co-accused, namely, Nikhil Kumar and Mandeep Kumar, who were apprehended at the spot. The petitioner has one criminal antecedent in which he is on bail and has been in custody since 20.05.2026. The charge sheet has already been submitted. Therefore, the petitioner deserves the privilege of regular bail.

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5. Learned A.P.P. for the State vehemently opposes the prayer for bail and submits that the alleged offence is serious in nature and the petitioner is involved in a racket operating across all over the country, including the State of Bihar. It is further submitted that the bail applications of co-accused Nikhil Kumar have been rejected three times by a Co-ordinate Bench of this Court, vide orders dated 18.06.2025, passed in Cr. Misc. No. 37066 of 2025; 12.02.2026, passed in Cr. Misc. No. 2876 of 2026; and 02.09.2026, passed in Cr. Misc. No. 51666 of 2026 respectively. The bail application of co-accused Mandeep Kumar was also rejected vide order dated 18.06.2025, passed in Cr. Misc. No. 3748 of 2025. Therefore, the petitioner does not deserve the privilege of regular bail.

6. I have heard learned counsel for the parties and perused the materials available on record. Considering the seriousness of the allegations, the petitioner's alleged involvement in the commission of the crime, the fact that his name surfaced in the disclosure statements of the co-accused persons apprehended at the spot, and the fact that the bail applications of the co-accused persons have already

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been rejected by a Co-ordinate Bench of this Court, I am not not inclined to grant the privilege of regular bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is rejected.

(Girijish Kumar, J)

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