

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84255 of 2025

Arising out of PS. Case No.-75 Year-2025 Thana- Cyber P.S. District- Nalanda

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Banty Kumar @ Banti Kumar S/o Ram Lakhan Paswan R/o Vill.- Man-
jhiyama, P.S.- Fatehpur, Dist.- Gaya. Petitioner/s

Versus

The State of Bihar Patna Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s: Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the offences under Sections 353, 196, 197 and 61(2) of the Bharatiya Nyaya Sanhita, 2023. He has no criminal antecedent.

3. As per the prosecution case, it is alleged that the co-accused namely Raushan Kumar and the petitioner were found to have made a video viral on social media announcing that they would take revenge of double murder case which had happened in the area.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the FIR. It is further submitted that there is no specific allegation of overt act against the petitioner rather from the perusal of the content which is said to have gone viral, it shows that the petitioner was merely standing behind the co-accused petitioner.



It is lastly submitted that the petitioner has clean antecedent and he is in custody since 18.07.2025 while the co-accused namely Raushan Kumar has been enlarged on bail by a Co-ordinate Bench of this Court *vide* order dated 16.12.2025 passed in Cr. Misc. No. 84896 of 2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner was involved in making viral a video of taking revenge of double murder as such he should not be released on bail.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that there is no specific overt act against the petitioner and he is in custody since 18.07.2025, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda in connection with Nalanda Cyber P.S. Case No. 75 of 2025, subject to the the following conditions:-

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain



present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(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 canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner except 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 the same or in the name of verification.

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

(Sourendra Pandey, J)

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