

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85771 of 2025**

Arising Out of PS. Case No.-386 Year-2025 Thana- MAHUA District- Vaishali

=====

Anil Kumar, Son of Harendra Prasad Singh, R/o - Madhaul, P.S. - Mahua,  
District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Shankar Paswan, Advocate.

For the State : Mr. Upendra Kumar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

4      02-04-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,  
in connection with Mahua P.S. Case No. 386 of 2025 dated  
22.03.2025 registered for the offences punishable under  
Sections 316(2), 318(4), 61(2), 3(5) of B.N.S and Sections 8(c),  
21(b) of NDPS Act and Section 66 of I.T. Act.

3. As per allegation, Police got information that some  
persons are committing cyber crime and consuming narcotic  
drugs. On raid, five persons were found sitting together who are  
co-accused in this case and in the confessional statement of one  
of the apprehended persons, the name of petitioner transpired  
that they committed cyber crime as per guidance of the  
petitioner.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner has not been arrested on the spot. There is no allegation of direct complicity of the petitioner in the alleged offence. His name has transpired only in the confessional statement of co-accused before the police which has no evidentiary value. He also submits that even the persons who were apprehended on the spot were not found to be committing any cyber crime. Except three mobiles and some Whatsapp chat, there is no allegation of any concrete material against the co-accused let alone the present petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering that there is no material against the petitioner and his name has transpired in the confessional statement of co-accused before the Police which has no evidentiary value, **this petition is allowed**, directing the



petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Mahua P.S. Case No. 386 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

**(Jitendra Kumar, J)**

S.Ali/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

