

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81377 of 2025

Arising Out of PS. Case No.-374 Year-2025 Thana- KALYANPUR District- East Champaran

1. Sumit Jaiswal S/o Jai Shankar Jaiswal @ Jaishankar Jaiswal R/o village - Barharwa Mahanand, P.S.- Kalyanpur, District- East Champaran
2. Sujal Jaiswal S/o Jai Shankar Jaiswal @ Jaishankar Jaiswal R/o village - Barharwa Mahanand, P.S.- Kalyanpur, District- East Champaran
3. Aman Jaiswal S/o Raj Kumar @ Raj Kumar Jaiswal @ Rajkumar Jaiswal R/o village - Barharwa Mahanand, P.S.- Kalyanpur, District- East Champaran
4. Anish Jaiswal S/o Alok Jaiswal Resident of - Purani Market, P.S - Kesariya, District - East Champaran, Presently R/o - Jaigaon Chota Micha Basti, P.S - Jaigaon, District - Alipurduar, West Bengal
5. Ujjawal Chaudhary S/o Santosh Chaudhary Resident of - Jaigaon Bhagat Singh Nagar, Near - Hussain Garage Shiv Mandir, P.S - Jaigaon, District - Alipurduar, State - West Bengal
6. Vivek Kumar Chaudhary S/o Ganesh Chaudhary Resident of - Dhaka Bhagwatpur Ward No. 17, P.S - Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Adv. Mr.Devashish Giri, Adv.
For the Opposite Party/s :		Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 17-02-2026 Heard Mr. Y.V. Giri, learned Senior counsel

 appearing for the petitioners, assisted by Mr. Devashish Giri and

 learned APP for the State.

2. A prayer for bail has been made on behalf of the

petitioner in connection with Kalyanpur P.S. Case no.374 of

2025 registered under sections 318(4), 336(3), 338 and 3(5) of

the BNS, 2023.



3. As per prosecution case the informant states that on a secret information having been received that all F.I.R named accused persons had involved in cyber fraud, the police conducted raid and arrested the accused and also recovered several incriminating articles.

4. Learned Senior counsel for the petitioners submits that the allegations made against the petitioners are not correct and the recovered articles are the general articles which belonged to the family members of the house and this fact has been stated in paragraph nos. 10 and 11 of the petition indicating the relationship of all these persons with the petitioners. It has further been submitted that there is no independent witness to the seizure list and as such, there is no compliance of mandatory provisions of search and seizure including that of photography. The petitioners have no criminal antecedent and they are in custody since 22.09.2025 and by order dated 30.01.2026, charges have already been framed against these persons.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that mandatory provisions of search and seizure have been violated,



coupled with the fact that charges have been framed, the petitioners, having no criminal antecedent, are directed to be enlarged on bail in connection with Kalyanpur P.S. Case no.374 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court, subject to the further condition that petitioners shall remain physically present in the learned trial Court on each date and shall cooperate in the trial. In case the petitioners are absent on the two consecutive dates without sufficient reasons, the learned trial Court would be at liberty to cancel the bail bonds of the petitioners.

(Soni Shrivastava, J)

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