

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81458 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- Cyber P.S. District- Sheikhpura

Kunal Kumar Son of Arun Prasad Resident of Village- Panchi, P.S.-
Sheikhopur Sarai and District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sheikhpura Cyber P.S. Case No. 25 of 2025 instituted for the offence under Sections 303(2), 318(2), 318(4), 319(2), 336(2), 336(3), 340(2), 3(5) & 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 66(C) & 66(D) of the Information and Technology Act.

3. Prosecution case, in brief, is that on 02/03.08.2025, on receiving secret information, the Cyber Crime Police led a raid near Durga Temple, Panchi village, where several persons were found conspiring to commit cyber fraud and attempted to flee away on seeing the police. During the raid, six accused



including the petitioner was apprehended and one mobile phone was recovered from his possession.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.08.2025, having three criminal antecedents, as per disclosure made in paragraph No.3 of the bail petition.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner, except one mobile phones, which belongs to the petitioner. Petitioner has no concern with the alleged cyber crime and there is no cogent material, whatsoever, to implicate him in the present case. There is no compliance of Section 103 of the BNSS, 2023. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing***



of charge, if not already framed, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sheikhpura Cyber P.S. Case No. 25 of 2025, subject to the following conditions:

- (I) One of the bailors shall be own/close member of the family of the petitioner.
- (II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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