

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83795 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- Cyber P.S. District- East Champaran

Manish Kumar Son of Dinesh Patel Resident of Village- Tadhwa Nandpur
Ward No. 3, P.S.- Bairiya, District- West Champaran. Petitioner/s

Versus

The State of Bihar. \... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 84633 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- Cyber P.S. District- East Champaran

Rohit Kumar S/o Nathuni Prasad @ Nathuni Mahto R/o Village -
Tadhwandpur, P.S - Bairiya, District - West Champaran.... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 84996 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- Cyber P.S. District- East Champaran

Anand Kumar S/o- Lal Babu Prasad @ Lal Babu Prasad Yadav @ Lal Babu
Yadav Resident of Vill- Tadhwa Nandpur, Ward No-03, P.S.- Bairiya, Dist-
West Champaran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 2594 of 2026

Arising Out of PS. Case No.-139 Year-2025 Thana- Cyber P.S. District- East Champaran

RAJKRIT KUMAR Son of Surendra Prasad @ Surendra Patel Resident of
Village - Bada Baudha, P.S.- Sugauli, District - East Champaran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :



(In CRIMINAL MISCELLANEOUS No. 83795 of 2025)
For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr.Arun Kumar Pandey, APP
(In CRIMINAL MISCELLANEOUS No. 84633 of 2025)
For the Petitioner/s : Mr.Priyesh Kumar, Advocate
For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP
(In CRIMINAL MISCELLANEOUS No. 84996 of 2025)
For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
Mr. Ritesh Kashyap, Advocate
Mr. Raushan Raj, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh
(In CRIMINAL MISCELLANEOUS No. 2594 of 2026)
For the Petitioner/s : Mr.Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-02-2026

Cr. Misc. No. 83795 of 2025

Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with Motihari Cyber P.S. Case No. 139 of 2025 registered for the offences under Sections 318(4), 319(2), 338, 336(3), 316(2), 308(5), 317(5), 61(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 66(C), 66(D) of the I.T. Act.

3. The accused/petitioner is named in the First Information Report and is in custody since 26.08.2025.

4. As per FIR, on secret information a raid was conducted by the informant, who is a police officer, where several electronic gadgets like laptop, mobile phone and several documents like Aadhar, passbook and huge ATM Cards were said to be recovered.



5. It is submitted by learned counsel appearing on behalf of the petitioner that the mobile in issue which alleged to be used for committing cyber fraud was not registered in the name of petitioner, as the same was registered in the name of co-accused Raj Krit Kumar, therefore except suspicion nothing appears incriminating against this petitioner. It is submitted that the allegation as alleged through FIR be taken into consideration, a mobile in issue which registered in the name of Raj Krit Kumar must to be recovered from the possession of this petitioner, which is not the case of prosecution. While concluding the argument, it is submitted that investigation of this case is already completed and as such, there is no chance of tampering with the evidence. Petitioner is a man of clean antecedent.

6. Learned A.P.P. opposed the prayer of bail.

7. In view of aforesaid factual submission and by taking note of the fact as the mobile which alleged to be used for committing cyber fraud is not appears registered in the named of petitioner, coupled with the fact the investigation of this case already concluded, where petitioner is a man of clean antecedent, remains in custody since 26.08.2025, accordingly, above-



named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari/concerned court, in connection with Motihari Cyber P.S. Case No. 139 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

Cr. Misc. No. 84633 of 2025

Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with Motihari Cyber P.S. Case No. 139 of 2025 registered for the offences under Sections 318(4), 319(2), 338, 336(3), 316(2), 308(5), 317(5), 61(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 66(C), 66(D) of the I.T. Act.

3. The accused/petitioner is named in the First Information Report and is in custody since 26.08.2025.

4. As per FIR, on secret information a raid was conducted by the informant, who is a police officer, where several electronic gadgets like laptop, mobile phone and several documents like Aadhar, passbook



and huge ATM Cards were said to be recovered.

5. It is submitted by learned counsel appearing on behalf of the petitioner that name of petitioner transpired on the basis of confessional statement of co-accused Manish Kumar. The mobile in issue which alleged to be used for committing cyber fraud was not registered in the name of petitioner, as the same was registered in the name of co-accused Raj Krit Kumar, therefore except suspicion nothing appears incriminating against this petitioner. It is submitted that the allegation as alleged through FIR be taken into consideration, a mobile in issue which registered in the name of Raj Krit Kumar must to be recovered from the possession of this petitioner, which is not the case of prosecution. While concluding the argument, it is submitted that investigation of this case is already completed and as such, there is no chance of tampering with the evidence. Petitioner is a man of clean antecedent.

6. Learned A.P.P. opposed the prayer of bail.

7. In view of aforesaid factual submission and by taking note of the fact as the mobile which alleged to be used for committing cyber fraud is not appears registered in the named of petitioner, coupled with the



fact the investigation of this case already concluded, where petitioner is a man of clean antecedent, remains in custody since 26.08.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, East Champaran, Motihari/concerned court, in connection with Cyber P.S. Case No. 139 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

Cr. Misc. No. 84996 of 2025

Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with Motihari Cyber P.S. Case No. 139 of 2025 registered for the offences under Sections 318(4), 319(2), 338, 336(3), 316(2), 308(5), 317(5), 61(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 66(C), 66(D) of the I.T. Act.

3. The accused/petitioner is named in the First Information Report and is in custody since 26.08.2025.



4. As per FIR, on secret information a raid was conducted by the informant, who is a police officer, where several electronic gadgets like laptop, mobile phone and several documents like Aadhar, passbook and huge ATM Cards were said to be recovered.

5. It is submitted by learned counsel appearing on behalf of the petitioner that name of petitioner transpired on the basis of confessional statement of co-accused Manish Kumar. The mobile in issue which alleged to be used for committing cyber fraud was not registered in the name of petitioner, as the same was registered in the name of co-accused Raj Krit Kumar, therefore except suspicion nothing appears incriminating against this petitioner. It is submitted that the allegation as alleged through FIR be taken into consideration, a mobile in issue which registered in the name of Raj Krit Kumar must to be recovered from the possession of this petitioner, which is not the case of prosecution. While concluding the argument, it is submitted that investigation of this case is already completed and as such, there is no chance of tampering with the evidence. Petitioner is a man of clean antecedent.

6. Learned A.P.P. opposed the prayer of bail.



7. In view of aforesaid factual submission and by taking note of the fact as the mobile which alleged to be used for committing cyber fraud is not appears registered in the name of petitioner, coupled with the fact the investigation of this case already concluded, where petitioner is a man of clean antecedent, remains in custody since 26.08.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, East Champaran, Motihari/concerned court, in connection with Cyber P.S. Case No. 139 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

Cr. Misc. No. 2594 of 2026

Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

2. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner provided his mobile to co-accused persons,



when same was asked being neighbour for transfer of money to his ailing father. It was misused by co-accused and when after the alleged misuse of the phone, the bank account of petitioner was freezed, petitioner himself reported the matter to the cyber fraud online portal.

3. In view of aforesaid, **let no coercive action** shall be taken against petitioner till further order.

4. In the meantime, let a legible copy of the case diary be called for in connection with Motihari Cyber P.S. Case No. 139 of 2025 from the Court of learned A.C.J.M.-4 East Champaran, Motihari/concerned Court, positively on or before next date of hearing.

5. Re-notify this case on 20.02.2026.

(Chandra Shekhar Jha, J)

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