

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91685 of 2025

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

Nitish Kumar S/O Late Siyaram Prasad Resident Of Village - Panchi, P.S.-
Shekhopur Sarai, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sheikhpura Cyber P.S. Case No. 25 of 2025 dated 03.08.2025, registered for the offences punishable under Sections 303(2), 318(2), 318(4), 319(2), 336(2), 336(3), 340(2), 3(5) and 61(2) of BNS, 2023 and Sections 66(c) and 66(d) of I.T. Act, 2008.

3. As per allegation, co-accused, Rajiv Ranjan @ Fantus along with other persons is planning to commit cyber fraud. Thereafter, the police went to Panchi village along with other police personnel and reached the place of suspicion near Durga Mandir at about midnight and saw that some unknown persons were talking to each other while having phone in their hand and when they saw the police, they started running away.



The petitioner and co-accused, Ankush Kumar threw away their mobiles in darkness which could not been found on search. However, other co-accused were apprehended on the spot and after technical analyses of the seized mobiles, the same were found to have been used in committing the cyber crimes.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not connected with the alleged offence. He further submits that the petitioner was just a passer by and nor any mobile has been seized from his possession. He has been implicated in this case only on the basis of suspicion and there is no material on record which may connect the petitioner with the alleged offence.

5. He further submits that the petitioner has been languishing in jail since 04.08.2025.

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

7. 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.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.



9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail 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 Sheikhpura Cyber P.S. Case No. 25 of 2025, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, 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.

(v) 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)

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