

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91691 of 2025

Arising Out of PS. Case No.-165 Year-2025 Thana- Cyber P.S. District- Nawada

Pankaj Kumar son of Sideshwar Prasad Resident of Mirbigga Police Station-
Warshaliganj, Dist- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 91766 of 2025

Arising Out of PS. Case No.-165 Year-2025 Thana- Cyber P.S. District- Nawada

Kaushlendra Pd. Sinha Son of Krishna Prasad Resident of
Ashuthana(Asthana), Police Station - Shekhopur Sarai, Dist. - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 91691 of 2025)
For the Petitioner/s : Mr. Kshem Sharma, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP
(In CRIMINAL MISCELLANEOUS No. 91766 of 2025)
For the Petitioner/s : Mr. Kshem Sharma, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 25-02-2026 Since both the applications arise out of Nawada Cyber

P.S. Case No. 165 of 2025, as such, they have been taken up

together and are being disposed of by this common order.

02. Heard learned counsel for the petitioners and

learned APPs for the State.

03. In the present case, the petitioners seek bail in



connection with Nawada Cyber P.S. Case No. 165 of 2025 dated 21.10.2025, registered for the offences punishable under Sections 303(2), 318(2), 318(4), 319(2), 336(2), 336(3), 338, 340(2), 111, 317(2), 317(5) and 61(2) of Bharatiya Nyaya Sanhita, 2023 and Sections 66, 66B, 66C and 66D of the Information & Technology Act.

04. As per prosecution case, police started conducting raid against the user of mobile no. 8167480408 and when the police party reached at the identified place, they found five persons sitting in a Scorpio vehicle doing something with mobile phones. Thereafter, the five persons were searched and a number of mobile phones and two SIM cards were recovered from the accused persons. From the petitioner, Pankaj Kumar, recovery of four smart mobile phones and four SIM cards was made apart from a four wheeler car. From the petitioner, Kaushalendra Prasad Sinha, recovery of a mobile phone and a Scorpio vehicle was made.

05. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The FIR has been lodged with completely vague allegations. There is no demand of money in any manner and for merely possessing mobile phones, the petitioner could not be put behind the bar any longer. From the whole FIR, no offence is made



out against the petitioner. There is no allegation that the mobile phones recovered from the petitioners were used to demand extortion or for committing some cyber fraud. Learned counsel further submits that the petitioners were arrested merely on suspicion as there was some hot talk between the petitioners and the police party. There is no proper compliance of Sections 103 and 105 of the B.N.S.S., 2023. Learned counsel next submits that petitioners are having clean antecedent and charge-sheet has been submitted. Learned counsel lastly submits that petitioners are in custody since 22.10.2025.

06. Learned APPs for the State oppose the submission made on behalf of the petitioners.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation against the petitioners and also considering their clean antecedent and period of custody along with submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Nawada / concerned Court, in connection with Cyber P.S. Case No. 165 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following



conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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