

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91686 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- Cyber P.S. District- Bhojpur

Jishan Khan S/O Anish Khan R/O Mohalla- L-32, Gali No.11, Mahendra Park, P.S.- Mahendra Park, Distt.- North West, Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh, Advocate
For the State	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Vijay Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 19-03-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhojpur Cyber P.S. Case no. 45 of 2025 registered under sections 318(4) and 319(2) of the Bharatiya Nyaya Sanhita, 2023 and section 66(D) of the IT Act.

3. As per the prosecution case, the informant states that he received a telephone call on his mobile phone from a person who stated that he was an Officer of the ATS and that he had the informant's Aadhar and mobile number. The caller further stated that a warrant of arrest had been issued in a case from the Court of the Judicial Magistrate at Pune in the State of Maharashtra wherein the informant was required to appear.



Further on the suggestion that his name be removed somehow and showing the fear of being taken into custody, it is stated that he got the informant to transfer a total sum of Rs. 19,00,000/- by RTGS which he transferred from his salary account in the State Bank of India to an account in the Bank of Maharashtra, details of which has been given in the FIR. The informant further states that subsequently his friends mentioned that he may have been a victim of cyber fraud. It is stated that he also received call on the next day for issuance of some certificate and for further payment of amount. Hence the FIR.

4. Learned counsel for the petitioner submits that the FIR was registered against unknown. The petitioner was falsely implicated in the case in course of investigation. The so called amount of Rs. 19,00,000/- had been transferred from the account of informant to the account of one Nitin Narendra Anjole in the Bank of Maharashtra. The petitioner has neither any concern with the said co-accused nor with his account. The petitioner has been falsely implicated in the case for the reason that in course of investigation it transpired that a sum of Rs. 7,00,000/- had been transferred from the account of the aforesaid Nitin Narendra Anjole to the petitioner's account in the IndusInd Bank. On receiving notice of the Cyber Police Station, the petitioner has been cooperating in the



investigation. Learned counsel for the petitioner submits that it was other co-accused Nikku @ Shivam, Rakesh and Utkarsh who were involved in the occurrence and on the pretext of a medical emergency have taken away the said amount which they had got credited in the petitioner's account. The petitioner who is a student is ready to cooperate in the investigation. He has no criminal antecedent and is in custody since 25.10.2025. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that there remains no dispute that out of the Rs. 19,00,000/- transferred by the informant to the account of the aforesaid Nitin Narendra Anjole in his account in the Bank of Maharashtra, Rs. 7,00,000/- has been transferred to the petitioner's account in the IndusInd Bank. The chain of circumstances being complete and the petitioner not having taken any steps asking his Bank i.e. the IndusInd Bank for return of the said amount, it clearly shows that he has also conspired with the accused persons.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the informant having transferred a sum of Rs.19,00,000/-



to an account in the Bank of Maharashtra and a sum of Rs.7,00,000/- having been transferred from the said Bank of Maharashtra account to the account of the petitioner, in the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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