

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3866 of 2026

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

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Bharat Kumar, S/o Sikandar Yadav, Resident of - Barui, P.S - Shekhopura
Sarai, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate with Dr. Manoj Kr. Advocate Mrs. Kshem Sharma, Advocate
For the Opposite Party/s :		Mr. Deepak Kumar, Advocate Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 24-02-2026 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Nawada Cyber P.S. Case No. 165 of 2025 dated 21.10.2025 instituted for the offence punishable under Sections 303(2), 318(2), 318(4), 319(2), 336(2), 336(3), 338, 340(2), 111, 317(2), 317(5), 61(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 66, 66(B), 66(C), 66(D) of the Information Technology Act.

3. The prosecution case, in short, is that on the alleged date of occurrence, the informant along with team conducted a raid in connection with Sanha No. 352 which was registered against the user/holder of Mobile No. 8167480408. During raid



at about 14.34 hrs, they found that five persons were sitting inside a Scorpio vehicle bearing Registration No. BR-01-JQ-6777, actively operating mobile phones. The police apprehended them and on search, two smart mobile phones were recovered from the possession of the petitioner and several mobile phones and other incriminating articles were recovered from the possession of the other accused persons. It is alleged that all the accused persons including the petitioner were indulged in cyber crime activities.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner further submits that five persons including the petitioner were apprehended along with a Scorpio. From the possession of the petitioner, two mobile phones were recovered, but no fraud or any transactions were found to be done through his mobile phones. Only one complaint case bearing Complaint Case No. 209092500077157 was lodged in the State of Tamilnadu against the mobile phones of the petitioner. It is further submitted that similarly situated person, namely, Satish Kumar was found in possession of two mobile phones against which, several complaint cases were lodged in the several states of India. The said Satish Kumar has



been granted bail *vide* order dated 23.02.2026 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 90509 of 2025. Lastly, it has been submitted that the petitioner is in custody since 22.10.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Nawada in connection with Nawada Cyber P.S. Case No. 165 of 2025, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks after his release from custody shall appear before the local police station along with a copy of this order and thereafter shall appear in the first week of every month to mark his attendance till framing of charge.

(Khatim Reza, J)

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