# IN THE HIGH COURT OF JUDICATURE AT PATNA
## CRIMINAL MISCELLANEOUS No.22857 of 2026

Arising Out of PS. Case No.-72 Year-2025 Thana- Cyber P.S. District- Begusarai

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Kanhaiya Kumar, Son of Pankaj Yadav @ Pankaj Prasad Yadav, R/o- Ward No.28, Lakhminia, P.S - Balia, District - Begusarai

... ... Petitioner/s

Versus

1. The State of Bihar
2. Bidhya Bhushan, S/o Banarasi Lal Gupta, Resident of Village- Mahna Nurpur, Mohalla Narainpur, P.S. Barauni, District- Begusarai, Pin Code- 851112
3. Superintendent of Police, Cyber Crime and Security Unit, Patna Cyber Crime and Security Unit, Patna

... ... Opposite Party/s

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with

## CRIMINAL MISCELLANEOUS No. 22973 of 2026

Arising Out of PS. Case No.-72 Year-2025 Thana- Cyber P.S. District- Begusarai

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Rahul Kumar, S/o Santosh Poddar, Resident of Village- Chhoti Balliya, Uppar Tola, Police Station - Balliya, District - Begusarai

... ... Petitioner/s

Versus

1. The State of Bihar
2. Vidya Bhushan Gupta, S/o Banarshi Lal Gupta, R/o- Mahna Nurpur, Mohalla- Narayanpur, P.S- Barauni, District- Begusarai

... ... Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 22857 of 2026)

For the Petitioner : Mr. Yogesh Kumar, Advocate
Mr. Manibhushan Pratap Sengar, Advocate

For the State : Ms. Nirmala Kumari, APP

For the C.C.S.U. : Mr. Vishwanath Prasad Sinha, Sr. Advocate
Mr. Vijay Anand, Advocate

(In CRIMINAL MISCELLANEOUS No. 22973 of 2026)

For the Petitioner : Mr. Sarvottam Kumar, Advocate
Ms. Asmita Bharti, Advocate

For the State : Dr. Ajeet Kumar, APP

For the C.C.S.U. : Mr. Vishwanath Prasad Sinha, Sr. Advocate
Mr. Vijay Anand, Advocate

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**

ORAL ORDER

5 20-08-2026 Heard learned counsel for the petitioners, learned

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counsel for the Cyber Crime and Security Unit (‘CCSU’ in short) and learned A.P.P. for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Begusarai Cyber P.S. Case no.72 of 2025, registered under sections 316(2), 318(4), 319(2), 336(2), 336(3) and 338 of the Bharatiya Nyaya Sanhita, 2023 and sections 66C and 66D of the I.T. Act.

3. As per the prosecution case, the informant states that on 10.12.2025 at about 10 a.m., he received a phone call on his mobile phone informing him that the life certificate with respect to his pension account had not been submitted. The same had been submitted only online and as such he was required to give certain details. The informant states that his phone was hacked and thereafter a sum of Rs.2,23,000/- from his account in the Bank of India and different amounts totalling over Rs.1,15,000/- from another account in the UCO Bank was withdrawn by unknown accused persons.

4. Learned counsel for the petitioner Kanhaiya Kumar submits that the petitioner is not named in the F.I.R. He was falsely implicated in the case in course of investigation in the confessional statement of co-accused Rahul Kumar recorded in paragraph no.12 of the case diary. As per the confession, this

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petitioner is said to have come with Sandeep Kumar. In course of investigation there is no allegation of any transaction having taken place or any amount having been credited in the petitioner's account. The transaction has taken place in the accounts of Ruksana Khatoon and Chandani Khatoon, who are not connected to the petitioner in any manner. The petitioner is in custody since 30.12.2025 and has no criminal antecedent. Charge-sheet has submitted in the case.

5. Learned counsel appearing for the petitioner Rahul Kumar submits that the petitioner was falsely implicated in the case in course of investigation. The prosecution is mainly relying on the confessional statement of the petitioner made before police which is inadmissible. No amount has been credited to the petitioner's account nor any evidence has come directly or indirectly linking the petitioner with the cyber fraud. The petitioner is in custody since 30.12.2025 and charge-sheet has been submitted in the case.

6. Learned counsels for the parties submit that co-accused Sandeep Kumar has been enlarged on bail vide order dated 12.8.2026 passed in Cr. Misc. no.27979 of 2026.

7. Learned counsel appearing for the CCSU has taken the Court through different paragraphs of the case diary

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including paragraph nos.7, 12, 14, 37 and 45 to submit that it was as a result of conspiracy between the parties that the transactions were taking place through the bank account of one accused Parvati Devi who happens to be the mother of the petitioner Rahul Kumar. Kanhaiya Kumar is a friend of Rahul Kumar. It is submitted that different sim cards were being used and some amounts have also been credited to the account of Parvati Devi.

8. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation as is evident from the different paragraphs referred to in the submission of learned counsel appearing for the CCSU, the Court is not inclined to enlarge the petitioners on bail and both the applications are rejected.

9. Liberty is granted to the petitioners to renew their prayer for bail after six months or on framing of charge, whichever is later.

**(Partha Sarthy, J)**

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