

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Bail Petition No. 334/2026

(Arising out of **Bhagalpur Cyber P.S. Case No. 20/2026**)

Gautam Kumar, age 26 years, S/o Pintu Prasad Sah **Petitioner**

Versus

The State of Bihar **Opposite Party**

Appearance:

For the Petitioner: Mr. Devendra Kumar Verma, Learned Advocate.

For the State: Mr. D.N. Sahay, Learned A.P.P.

Date of Order	Order with Signature of the Court
1	2
16.04.2026	A regular bail petition has been filed on behalf of the above named accused-petitioner who is in judicial custody since 02.03.2026 in connection with Bhagalpur Cyber P.S. Case No. 20/2026 for the offence punishable U/s 316 (2), 318 (4), 319 (2) BNS and 66 (C), 66 (D) of I.T. Act. On behalf of petitioner a certificate has been given at para-2 of bail petition that earlier petitioner has not filed any anticipatory or regular bail petition either before Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. A certificate has given at para-3 of the bail petition that accused-petitioner has no criminal antecedent. Prosecution case, as per FIR of informant Chandan Kumar, in brief, is that he operates a CSP (regarding Bank) and during his service he became acquainted with Amar Tanti and Gautam Kumar. Both of them told him that the farmers who are not getting the benefit of P.M. Kishan Yojana, prepare KYC as both the persons had got tender from government, so you will get Rs. 50/- for each head. It is further alleged that the petitioner was given a By-pass I.D. and password. Thereafter, about 125 KYC verification were carried out and subsequently it came to light that bank accounts were opened and transactions were made without the knowledge of the farmers, indicating misuse of their KYC and Bio-metric details. Hence, this FIR is lodged. The Ld. counsel for the petitioner submitted that the petitioner is innocent and has not committed any offence and he has falsely been implicated in this case. Further, submits that petitioner has been remanded to jail custody only on the basis of confessional statement which is not reliable evidence according to the provision of law and after perusal of the FIR how many rupees cheated by the petitioner amongst the 125 farmer is not shown in FIR and recovered money of petitioner is bonafide claimant of the recovered money and that money collected from loan and other reliable sources. Further, submits that petitioner is in judicial custody since 02.03.2026, hence, petitioner deserves bail.

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Contd..../P-2 16.04.2026	On the other hand, learned Additional Public Prosecutor for the State opposed the prayer for regular bail of the petitioner. Heard both the parties. Perused the case record as well as case diary and on perusal the same it transpires that there is allegation against this accused-petitioner that he alongwith other co-accused persons have withdraw the money of so many persons by cheating in the name of P.M. Kishan Yojana without any knowledge of account holders. Further, during the course investigation, several incriminating articles i.e. passbooks, ATM Cards, Bio-metric device and other electronic device has been recovered from the house of this accused-petitioner. Para-14 of the case diary reveals that accused-petitioner has confessed his guilt and stated that he alongwith other co-accused persons have involved in this crime. But after perusal of the FIR how many rupees cheated by the petitioner amongst the 125 farmers is not shown in FIR and case diary. Further, co-accused person namely Rahul Kumar has granted bail by the Ld. Trial Court on 02.03.2026. Further, criminal antecedent of this accused-petitioner is not mentioned in the case diary whereas Ld. Counsel for the petitioner stated that accused-petitioner has no criminal antecedent. Moreover, accused-petitioner has been languishing in judicial custody since 02.03.2026 which is more than one and half months. In the facts and circumstances as stated above and considering the period of custody, petitioner is directed to be <i>released on bail after framing of charge</i> on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two surety of the like amount each to the satisfaction of the Ld. Trial Court with conditions: (1) One of the bailor must be close relative of the petitioner. (2) Petitioner shall not repeat such type of offence in future otherwise his bail bond shall liable to be cancelled. Sd/- Additional Sessions Judge II Bhagalpur.