



COURT OF DISTRICT & SESSIONS JUDGE
Bhojpur, Ara
B.P. No. 763 of 2026
(Arising out of Cyber PS Case No. 45/2025)

Upendra Singh @ Utkarsh

Petitioner

Versus

State of Bihar

Opp. Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
10.03.2026	<p>1. This bail petition has been filed on behalf of petitioner, namely, Upendra Singh @ Utkarsh, who in judicial custody since 24.02.2026 in connection with Cyber P.S. Case FIR No. 45/2025 u/ss. 318(4), 319(2) of B.N.S. and 66(d) of I.T. Act, put up for hearing.</p> <p>2. Heard Shri Bhuneshwar Tiwari, learned counsel for petitioner, Shri Manmohan Ojha, learned counsel for informant and Shri Rana Pratap Singh, learned P.P. for the state.</p> <p>3. This FIR No. 45 of 2025 lodged by P.S. Cyber (Bhojpur) on 02.07.2025 under Sections 318(4), 319(2) of B.N.S. & 66(d) of I.T. Act. It is case of informant Ram Niwas Prasad that on 26.06.2025 at 08:30 am informant received a call from Mobile No. 8220341644 on his Mobile No. 9334931131, the person using Mobile No. 8220341644 masquerade himself as an Officer of Anti-Terrorist Squad and</p>	



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<p>Contd. 10.03.202 6</p>	<p>disclosed Aadhar Number, Mobile Number of the informant and a fictitious Judicial Magistrate, namely, Anurag Sain, Distt. - Pune issued arrest warrant against the informant in F.C. Case No. SD 1928/2025 and in the course of discussion informant was advised that if informant wish to remove his name from this case then informant has to pay Rs. 19,00,000/- and under the fear of criminal case and informant from his salaried Account No. 30701516527, Branch - SBI, Jail Raod, Ara transferred Rs. 19,00,000/- through RTGS mode into the account of one Nitin Narendra Anjole, Bank of Maharashtra, Branch Code - 00356, Nagpur Wardhwan Nagar bearing Account No. 60533403949, IFSC Code MAHB0000356 around 03:00 pm.</p> <p>Later on also informant received call from several mobile numbers are as follows: (i) 8220341644 (ii) 9054392816 (iii) 7681075523 (iv) 8148622714 and (v) 9101312448. In the course of investigation on the basis of mobile number and banking transaction two accused persons, namely, Jishan Khan and Dalip Kumar were arrested and as per bank statement given by Investigating Officer in para 10 of the case diary money trail from Primary Account No.</p>	
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<p>Contd. 10.03.202 6</p>	<p>60533403949 used for committing fraud ascertained and following bank accounts used for further transaction described in para 10 of case diary using NCRP Portal as as follows: -</p> <p>1. Bank of Maharashtra A/C No. 60533403949 (Nitin Narendra Anjole), Bank of Maharashtra A/C No. 60469319415 (Dalip Kumar), Bank of Maharashtra A/C No. 60469333111 2. IndusInd Bank A/C No. 157838673120 (Jishan Khan) 3. ICICI Bank A/C No. 828405000106 4. Axis Bank A/C No. 924020071910540, Axis Bank A/C No. 002261100000025 and Investigating Officer also filed two bank statements that shows Rs. 7,00,000/- transferred by Mr. Nitin Narendra Anjole using Account No. 517715734752 (ii) 517715734901 and transferred Rs. 7,00,000/- into the Account No. 157839000000 (this account hold by Jishan Khan it shows that money credited into account of Jishan Khan on 26.06.2025 and money withdrawn by accused Jishan Khan on 27.06.2025 using Cheque No. 390201, 390206 and 390207. Investigating Officer also drawn our attention towards Account No. 60469319415 held by accused Dalip Kumar and this account also shows that Rs. 7,00,000/- credited into the account of Dalip Kumar on 26.06.2025 from Account No.</p>	
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<p>Contd. 10.03.2026 6</p>	<p>60533403949 and using Cheque No. 45982 Dalip Kumar withdrawn Rs. 6,90,000/- from his account from Branch Code - 01854, Bank of Maharashtra, Gujranwala, Delhi.</p> <p>Later on in course of investigation confessional statement of Jishan Khan was recorded and same has been in-corroborated in para 44 of case dairy and as per case diary it was accused Upendra Singh @ Utkarsh / petitioner herein enticed Jishan Khan to open account and received 7 lacs, and for that purpose Jishan Khan was assured by Upendra Singh @ Utkarsh / petitioner that Jishan Khan will get commission of Rs. 10,000/-, hence name of petitioner Upendra Singh @ Utkarsh was also arrayed as an accused and in the course of investigation Upendra Singh @ Utkarsh was arrested.</p> <p>4. Learned counsel for the petitioner submitted that earlier the petitioner has not moved for his anticipatory or regular bail on his behalf, either before this Court or before the Hon'ble High Court. Ld. counsel petitioner further submitted that petitioner Upendra Singh @ Utkarsh as is a man of clean antecedent petitioner is in judicial custody since 24.02.2026. It is forcefully argued by Ld.</p>	
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<p>Contd. 10.03.202 6</p>	<p>Counsel for the petitioner that no monetary transaction took place between informant and petitioner herein, nor any evidence came on record other than confessional statement of co-accused Jishan Khan to connect accused person with the alleged offence in this case. For the first time, name of petitioner cropped up as an accompish in the confessional statement extracted in para 44 of case dairy of Jishan Khan and after completion of investigation charge sheet has been filed against Jishan Khan by police and no admissible evidence came on record to connect Upendra Singh with the alleged offence. Though, investigation against petitioner Upendra Singh is still pending. It is also submitted by Ld. Counsel for the petitioner that only on the basis of suspicion and statement made in the police custody of co-accused petitioner has been arrayed as an accused in this case. Ld. Counsel also drawn attention of this Court regarding the fact that informant has settled all other dispute amicably with petitioner Upendra Singh and informant is present alongwith his counsel in this Court today and informant has no objection, if bail petition of petitioner is allowed. Considering the fact as discussed</p>	
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<p>Contd. 10.03.2026 6</p>	<p>above, the bail petition of petitioner may be allowed.</p> <p>5. On the contrary, learned P.P. along with learned counsel for informant vehemently opposed the bail petition of petitioner and submitted that accused persons in pre-planned manner used fake ID of ATS Officer, Court Name and Case Number and lured after using fraudulent means to transfer Rs. 19,00,000/- using digital manipulation and caused a financial loss of Rs. 19,00,000/- to a Medical Officer and deprived him from his hard earned money, hence, the bail petition of petitioner is devoid of merit and same should be dismissed.</p> <p>6. I have heard the rival submission of both parties and perused the case record. In this case, a Medical Officer defrauded by accused persons in pre-planned manner using digital means and money trail from above described bank accounts clearly establish that prime accused Nitin Narendra Anjole from his Account No. 60533403949 transferred money into the account of Jishan Khan bearing Account No. 157838673120 and Dalip Kumar bearing Account No. 60469319415 in which initially on 26.06.2025 Rs. 7,00,000/- credited</p>	
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COURT OF DISTRICT & SESSIONS JUDGE
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<p>Contd. 10.03.2026 6</p>	<p>and same was withdrawn by both the accused persons using Cheque No. 390201, 390206 and 390207 GTB Nagar, Delhi, IndusInd Bank. Although, the petitioner Upendra Singh @ Utkarsh was initially not named in the FIR, name of the petitioner cropped up in the confessional statement of Jishan Khan in para 44 of case diary. It is stated by Jishan Khan that Upendra Singh enticed him to open account in IndusInd Bank, detail of that described above, and assured that for any transaction Jishan Khan will receive Rs. 10,000/- as commission and relying on Upendra Singh, Jishan Khan open account in IndusInd Bank in which Rs. 7 lac was transferred and same was withdrawn by using Cheque Nos. 390201, 390206 and 390207 on the same day. Considering allegation and the mode of <i>modus operandi</i> of cheating, committing offence, withdrawing money suggest that accused persons extracted money from informant in pre-planned manner and it is matter of common knowledge that Cyber Fraud has turned into a social hazard for all innocent persons in which trial of offence and identity of accused persons very difficult to ascertain. In this case also though accused Jishan Khan and Dalip Kumar has been arrested on the basis of withdrawal of</p>	
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<p style="text-align: center;">Contd. 10.03.2026 6</p>	<p>money using bank account, described above, lynch pin / main accused of this case Nitin Narendra Anjole will at large appears that all accused persons including Upendra Singh cahoots with another extracted money from informant. This case is still at initial stage and accused person is in judicial custody since 24.02.2026 and at this stage, considering the nature of allegation, manner in which offence was committed, bail petition is devoid of merit and in addition to that, I will like to adduce herein observations of Hon'ble High Court and and Hon'ble Supreme Court reiterated as follows-</p> <p style="padding-left: 40px;">“in digital fraud is very serious in nature where complex technological mechanisms were employed to defraud gullible victims by using multiple communication devices to mislead them and crimes of such a nature are on rise disproportionately and for Investigating Officer it is immensely difficult to crack cases due to boon of technology, in which technology effectively misused by crooks to wreak havoc and evade the law enforcement and the task of Investigating Agency seems arduous”, hence, bail petition of petitioner, namely, Upendra Singh @ Utkarsh is devoid of merit and same should</p>	
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Contd. 10.03.2026	<p>be dismissed. Any observation made herein will be inconsequential for further proceeding.</p> <p style="text-align: center;">(Dictated & corrected by me)</p> <p style="text-align: center;">sd/- (Purushottam Mishra) Sessions Judge 10.03.2026</p>	