<u>In the court of District & Addl. Sessions Judge 1st, Bagaha, West Champaran.</u>
<u>Bail Petition No.351/2026</u>
<u>Registration No.-351/2026</u>
(<u>Arising out of Cyber (Bagaha) P.S. Case No.-04/2026)</u>

Munendra Kumar Bharti, aged about 28 years, S/o.-Late Sudama Ram, R/o. Village-Serahwa (Borwal), Ward No.11, P.S.-Patkhauli, Distt.-West Champaran…….Petitioner

vs

State of Bihar……………………………..…...……..………………………...Opposite Party

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<u>08.04.2026</u> A bail application earlier filed on behalf of accused petitioner namely Munendra Kumar Bharti under judicial custody since 27.02.2026 in connection with Cyber (Bagaha) P.S. Case No.04/2026, u/s-318(4),336(2),112,3(5) BNS & Section 66(C),66(D) I.T. Act pending in the learned Court of the ACJM-II, Bagaha has been pressed today. Copy of the same has been served to the learned P.P In-charge for state. Case diary is available on record.

Sri Kamran Aziz, learned counsel on behalf of the petitioner and Sri Prabhu Prasad, learned P.P In-charge for state are present before the Court.

The prosecution case in brief as narrated in the application of informant namely Jitendra Kumar, S.I., Cyber Police Station, Bagaha is that on the basis of complaint of cyber fraud registered on NCRP portal, raid was conducted at the house of Munendra Kumar Bharti whose account was used for several transactions for committing cyber fraud. On search of the house of Munendra Kumar Bharti, passbooks, cheque books and ATM cards of several banks in different names were recovered from his house which were seized. On further interrogation he revealed that Munendra Kumar Bharti has given his signed cheque boook, net banking user ID and password of his current account to a person namely Abhishek, who is an employee of Bandhan Bank, Bagaha. It was further revealed that another account with name as Vikash Telecom was opened in SBI by one Sumit and user ID and password was taken by him for transaction of money obtained from cyber fraud for which Munendra Kumar Bharati was paid Rs.80,000/- by Abhishek and Rs.25,000/- by Sumit. A laptop was also recovered from the house of Munendra Bharti in which clue of transaction approximately of Rs.26 lakhs was made from hundreds of accounts in the bank account opened with Vikash Telecom and on the same day the amount was transferred to another bank account. The laptop was duly seized. On the basis of self statement of the informant, present case was registered.

It has been submitted on behalf of the petitioner that he is quite innocent and has committed no offence as alleged against him and has been falsely implicated in this case. Earlier no other bail application on behalf of the petitioner has been filed either before this court or any superior court. Petitioner has got one criminal antecedent as Patkhauli P.S. Case No.201/25. It has been submitted that no any bank statement of the account of petitioner is attached. It has been further submitted that as per informant version after inquiry this FIR has been lodged against the petitioner but in course of investigation nothing has been found against the petitioner only on the basis of oral statement and imaginary story case has been

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08.04.2026 lodged against the petitioner. It has been further submitted that petitioner had no knowledge about using of net banking, user Id and Password was taken by co-accused Abhishek Kumar and he misused the same. Hence, petitioner has not misused his bank account with dishonest intention and no case of cheating is made out against the petitioner. Petitioner having no much knowledge about the main source of transaction he was gulled by other co-accused. Petitioner has no role in the alleged fraud and he has only been made scapegoat in the alleged incident. Petitioner has not made signature or password of any person nor he wrongly using any computer resources, hence no case is made out u/s-66(C),66(D) of the I.T. Act. Petitioner is under judicial custody since 27.02.2026. Hence, he may kindly be allowed bail.

On the other hand learned P.P. In-charge for State vehemently opposed the prayer for bail of the petitioner and submitted that petitioner also got his share in the alleged fraud by opening bank accounts. Petitioner is member of a organized gang and indulged in Cyber fraud. In view of above, he does not deserve bail.

Heard the parties and perused the case dairy. From perusal of the same, it transpires that petitioner accused is named in F.I.R. There is direct allegation against the petitioner that his A/c No.20100040968430 was used for transaction to obtain money from Cyber fraud. Several passbooks, cheque books and ATM cards in the name of several persons were also recovered from the possession of the petitioner. It also transpires that petitioner accused in collusion with other accused were committing Cyber fraud. Investigation is still pending against the petitioner.

Considering the aforesaid facts and circumstances of the case and material available on record as discussed above, this Court is not inclined to enlarge petitioner accused on bail. Accordingly prayer for bail of the petitioner is hereby **rejected.**

(Dictated & Corrected)

(Manish Dwivedi)
District & Addl. Sessions Judge 1st

Date of order	08.04.2026
Date of Reserving Order	08.04.2026
Uploading Date	10.04.2026
Uploaded By	Manish Roy, Stenographer, DASJ-I