



Bail Matters 408/2026
STATE Vs. MANISHA PASWAN
FIR No. 111/2026
U/s 318(4)/ 3(5) BNS
(Dabri)

18.03.2026

ORDER

1. Vide this order, I shall dispose off application filed on behalf of the accused/ applicant namely Manisha Paswan U/s 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 (BNSS) seeking grant of anticipatory bail.

2. Succinctly stated facts of the case are that the present matter pertains to online fraud in which Rs. 1,50,000/- were siphoned off from bank account of the complainant through misuse of banking credentials. The bank account of the applicant/ accused Manisha was used as the beneficiary account for receiving fraudulent proceeds. Her brother namely Manish and two other co-accused persons namely Arif Husain and Rashi Ranjan were also actively involved in the commission of the said offence.

3. It has been submitted by Ld. counsel for the accused/ applicant that the applicant is innocent and has been falsely implicated in the present case by the police. On the basis of the complaint of the complainant, IO called the applicant Manisha and she appeared at the PS. She gave her statement wherein she has stated that her neighbor Mr. Rashi Ranjan took her bank

account details on the pretext of transferring some amount which she had won in one game. Therefore, the main accused is Rashi Ranjan and the applicant is also a victim in the present matter. It is further submitted by Ld. Counsel for the applicant that the applicant has grave apprehension of arrest from the police officials of PS Dabri. The applicant has clean antecedents. She is not required for any kind of custodial interrogation or investigation. The applicant undertake to join the investigation as and when required by the IO. The applicant is a resident of Delhi and has deep roots in the society. There is no chance of her absconding or tampering with the evidence. Therefore, anticipatory bail may be granted to the accused/ applicant Manisha.

4. *Per-contra*, the present bail application has been vehemently opposed by Ld. Subst. Addl. PP for the State and IO SI Deepak that there is active involvement of Manisha in the commission of the offence as she received monetary benefit of Rs. 2,000/- from the proceeds of the crime. Close association of the applicant with co-accused Manish is evident from the fact that she is the sister of co-accused Manish and they both were present at the PS. Further, sections 318(4) / 3(5) BNS regarding cheating and criminal conspiracy have been invoked in the present case against the applicant which are serious in nature. Custodial interrogation of applicant Manisha is required to ascertain her role in transfer of the funds through her account. Recovery of digital evidence, UPI transaction details and identification of other conspirators will be possible only through

sustained interrogation of the applicant. Moreover, the matter pertains to a cyber fraud which are on the rise in the society and it shall be only in the interest of the public at large if the present bail application is dismissed.

5. I have perused the record and have given thoughtful consideration to the submissions of both the sides.

6. As per the complaint, complainant had called the customer care for closing Credit Card. However, his bank account credentials were taken on the pretext of issuing a new credit card and thereafter, his bank account credentials were misused and money was deducted from his account. The present matter pertains to the cheating (cyber/ online fraud) and criminal conspiracy. Applicant received monetary benefit from the proceeds of the crime. Therefore, the allegations against the accused/ applicant Manisha are serious in nature and the applicant cannot be given the concession of anticipatory bail at this stage.

7. The Hon'ble High Court of Delhi in the case of *Homi Rajvansh Vs. Central Bureau of Investigation (2011) SCC Online DEL 4709* has held as follows:

"There is a perceptible difference in the results of the interrogation when a person who has an order of anticipatory bail in his pocket and goes to the investigation agency. He is bound not to cooperate and not to give the correct answers to the questions put to him to reach at the bottom of the case as against the person who is in custody or who does not have the protection of anticipatory bail"

8. Further, the Hon'ble Apex Court of India in the case of *State (CBI) Vs. Anil Sharma (1997) 7 SCC 187* has observed as under

"We find force in the submissions of the CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well ensconced with favorable order U/s 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring. Many useful information and materials which would have been concealed. Success in such interrogation would allude if the suspective person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual."

9. As per the reply of IO, the present case is of a well-orchestrated online fraud wherein an amount of Rs. 1,50,000/- were siphoned off from the complainant's account. The investigation as of now, has revealed an active participation of the applicant in the commission of online fraud in connivance with other accused persons as she has received monetary benefit of Rs. 2,000/- from the proceeds of crime.

10. Further recovery of digital evidence, UPI transaction details and identification of other conspirators is still pending which implies that the investigation is at a very nascent stage. If granted bail, it is highly likely that the applicant may hamper the investigation by tampering with evidence and the witnesses. The Court also concurs with the contention of Ld. Subst. Addl. PP for State that there is an influx of offences involving cheating, financial fraud through criminal conspiracy which needs to be curbed and giving concession of anticipatory bail would only

send a wrong signal in the society.

11. In view of the above discussion, the investigation is at nascent stage, and applicant/ accused Manisha is required for proper investigation in the present matter, hence, the present anticipatory bail application of the applicant/ accused Manisha Paswan stands dismissed. IO is at liberty to proceed as per law.

12. *Nothing in this order shall be taken to be an expression of opinion on the merits of the case.* Copy of this order be given dasti to Ld. Counsel for accused and to the IO concerned.

13. Bail application file be consigned to record room.

(RASHMI GUPTA)
ASJ (SFTC) Dwarka Courts
18.03.2026