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In the Court of Sessions Judge,Bijnor.

<u>1-Bail application no. 1515/2026</u>

Sheebu Hasan s/o Nabi Hasan r/o Village Panua P.S Nawabganj Distt. Bareilly.

Vs.

State

<u>2**-Bail application no. 1732/2026**</u>

Mohd. Arif s/o Nabi Jan r/o Alinagar, P.S Bhotipura Distt. Bareilly.

Vs.

State

U/s:317(2),318(4) BNS
66D I.T Act.
P.S :Cyber Crime, Bijnor.
(Crime no. 09/2026)

<u>ORDER</u>

The above noted both the first applications for bail have been moved on behalf of the accused-applicants **Sheebu Hasan** and **Mohd. Arif** involved and detained in above stated sections and crime number.

Heard the counsel for the accused-applicant as well as learned DGC(Crl.) for the State and perused the case diary.

As per Prosecution case, complainant lodged a report that on 1.2.2026 he was added in whatsapp group of F5 Indian Stock Market Investors Discussion group started by Jatin Sharma,who was group admin. In beginning, trading was taught in this group. After some time this group has started to recommend the stock and said to them that who well perform good in recommended stock,he will be added in wealth Alliance Internship group and they will be familiar with the people of same mindset having good net worth. Thereafter,they were asked to download Farley LLC app and also asked to trade with this app and a link was also provided for trading and it was also asked that before making any deposit in Farely LLC app,they will have to take appointment first and the amount shall be deposited in that account which will be recommended in each appointment. As such, from 24.2.2026 to 1l7.3.2026 six bank accounts were given in which

Rs.32.53 lac were deposited. The deposit was made with detail of bank accounts,transaction ID. Later on,he was asked to invest in IPO and he has made the payment of Rs.3864960.02/- and then he was asked to pay Rs. 64.41 lac more but he was unable to make this payment and he has shown his inability to make such payment and said that he will make the payment after selling his shares but he was asked first to pay Rs.64.41 lac. Thereafter,he had a suspicion and he lodged this report online in Cyber crime help.

It is submitted on behalf of the accused-applicants that they have been implicated falsely in this case. The FIR is delayed and unexplained. They are not named in FIR. The recovery is false. There is no independent witness. The offence is triable by Court of Magistrate. They have been serving in jail since 24.4.2026.

Learned DGC(Crl.) opposed the bail and submitted that the accused-applicant alongwith co-accused committed cheating with the complainant by grabing huge amount from him. The offence relates to Cyber crime.

In this matter these are the allegations that the accused-applicants have committed Cyber crime with the complainant by grabbing Rs.38.64 lac from him under the pretext of investing this amount in stock in the form of share but no return was given to them and also made demand of more amount to the tune of Rs.64.41 lac. It is also alleged that when on 24.4.2026 the applicant-accused Nabi Hasan was arrested by the police an amount of Rs.65,210/- was recovered from his possession and Rs. 34110/- were recovered from the possession of applicant-accused Arif. It is also alleged that the applicant-accused Seebu has admitted in his statement that at the instance of co-accused Raghav he got opened accounts of different people under the greed of 10% commission of the amount which will be transferred in those accounts. He has also stated that twenty two lac rupees have been received in the account of his wife Nazis and he also stated that in the accounts of different people they have got transferred some amount. Applicant-accused Mohd. Arif has also stated that he also used to get the commission and the amount which has been recovered from them, is the amount of commission they received. Now a days, such type of gang of Cyber Criminals is at rampant who make prey those innocent people who easily went to their grip with the intention to make more money in short period. Such type of criminals take the advantage of modern technology and cheated innocent people. The act of accused-applicants shows extreme culpability on their part. If such type of criminals are released on bail,it will float an adverse message in society and such criminal will again encourage to commit such crime.

Considering the entire facts and circumstances of the case and in view of the gravity of the offence without expressing opinion regarding merit of the case at this stage, it does not appear to be a fit case for bail.

Accordingly, applications of above stated both the accused-applicants are rejected.

Copy of this bail order be placed on connected bail application.

(Sanjay Kumar VII)
Sessions Judge,
Bijnor.
08.06.2026

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