

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 9343/2025

Mohit S/o Ramkesh

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

Connected With

1. S.B. Criminal Miscellaneous Bail Application No. 9925/2025
 2. S.B. Criminal Miscellaneous Bail Application No. 10063/2025
 3. S.B. Criminal Miscellaneous Bail Application No. 10376/2025
 4. S.B. Criminal Miscellaneous Bail Application No. 10672/2025
 5. S.B. Criminal Miscellaneous Bail Application No. 12137/2025
 6. S.B. Criminal Miscellaneous Bail Application No. 12269/2025
 7. S.B. Criminal Miscellaneous Bail Application No. 12959/2025
 8. S.B. Criminal Miscellaneous Bail Application No. 13705/2025
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For Petitioner(s) : Mr. Aadarsh Singhal, *Amicus Curiae*
Mr. Rahul Sinsinwar
Mr. Hemant Kankoriya
Mr. Tarun Jain
Mr. Shyam Bihari Gautam
Mr. Pallav Choudhary
Mr. Dharmendra Kumar for
Mr. Kapil Gupta
Mr. Pradeep Sharma

For Respondent(s) : Mr. Rajesh Choudhary, GA cum AAG
with
Mr. Rishi Raj Singh Rathore, PP
Mr. Aman Agarwal, PP
Mr. Rajeev Sharma, DGP, VC
Mr. Sachin Mittal, Commissioner of
Police
Mr. Manish Agrawal, Add. C. P. Jaipur
Mr. Vikas, DIG Cyber
Mr. Shantanu SP Cyber
Mr. Bharat Vyas, ASG with
Ms. Neeti Jain Bhandari
Mr. Harshvardhan Katara

HON'BLE MR. JUSTICE SAMEER JAIN

Order

28/10/2025

1. As on regular basis bail applications are moved wherein the accused-applicant(s) are young personals who are alleged to

be involved in cyber crimes, taking note of the gravity of offence and the after effects of the custody, vide order dated 14.10.2025 passed in SBCRLMB No. 9343/2025, *Amicus curiae* was directed to mark presence and render due assistance to the Court along with the officers concerned.

2. Learned counsel for the applicants have unanimously submitted that complaints are registered by the police authorities and not by the victims or private parties, therefore, the allegations vis-a-vis cyber crime is not tenable on merits. It is submitted that applicants are aged approximately in-between 18-30 years and in majority of applications have no criminal antecedents registered against themselves. It is further submitted that on basis of assumptions and presumptions, FIRs are registered and applicants are in custody from long period.

3. Learned counsel have submitted that trial will take its own time and if applicants are not released on bail, their entire career will be ruined. Further, it is submitted that all matters are triable by Magistrate; however, at latter stages allegations under Section 111 of BNS (triable by Court of Sessions) are added, which is per-se illegal and unlawful, as the essential ingredients of the said provision are not fulfilled. Lastly, it is apprised to the Court that in handful of applications, co-accused persons, under identical set of factual narrative, are enlarged on bail by co-ordinate Bench of this Court.

4. *Per contra*, learned ASG and GA cum AAG have submitted that cyber crime is itself *sui generis* in nature; which started as a viral fever and is now spreading like an epidemic, having writ large effects, irrespective of territories and

geographical boundaries. It is submitted that the masterminds are sitting across the borders and their pawns act in remote areas. The entire planning and execution of the said category of offence is done using high-tech equipment, softwares and allied technology.

5. It is contended that the root cause of the offence at hand are irregularized SIM cards and mule bank accounts. It is submitted that accused, who are before the Court, are simply extended hands of the masterminds, who malaciously or bonafidely *sans* understanding the gravity of offence, become a part of of such offences. Howsoever, release of such persons on bail without imposing appropriate strict conditions, shall cause a threat to the society.

6. Director General of Police, appearing through VC as well other Officers, present in the Court, have submitted that they will file appropriate written submissions *vis-a-vis* the contentions and suggestions qua imposition of conditions, upon conducting a brainstorming with the appropriate authorities, by 06.11.2025.

7. Learned *amicus curiae* has submitted a white paper, which is place on record and considered.

8. In view of the foregoing, the present bail applications are reserved for pronouncement.

9. Learned counsel for the applicants are at liberty to submit their written submissions by 06.11.2025.

(SAMEER JAIN),J