

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 12959/2025
Tophik Khan S/o Aaiya Khan, Aged About 30 Years, R/o Aklipur
Road, Mubarikpur, Police Station Nogava, District Alwar (Raj.).
(Presently Accused Confined In Central Jail, Alwar).

-----Applicant

Versus

State Of Rajasthan, Through Pp

-----Respondent

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

HON'BLE MR. JUSTICE SAMEER JAIN

Judgment

Reserved on **28/10/2025**

Pronounced on **11/11/2025**

1. The instant bail application has been filed under Section 483 BNSS on behalf of accused-applicant. The accused-applicant was arrested in connection with FIR No. 330/2025 registered at Police Station Nogava District Alwar for the offence(s) under Sections 319(2), 318(4), 336(3), 340(2) of BNS, 2023 and Section 66D of IT Act, (Amendment), 2008.
2. Learned counsel for the accused-applicant had submitted that the applicant is 30 years of age and has been falsely impli-

cated in the present case. It was further submitted that the FIR in the matter was lodged by the police authorities and not by the victim or complainant. It was also submitted that the applicant has no criminal antecedents and has been in custody since 14.09.2025. Learned counsel further submitted that the trial is likely to take considerable time for its conclusion and the matter is triable by the Court of Magistrate. It was additionally submitted that the applicant is ready and willing to abide by any conditions that may be imposed by this Court.

3. *Per contra*, learned counsel appearing for the non-applicant-State have vehemently opposed the instant bail application, and have endorsed the submissions noted in order dated 11.11.2025 passed in **S.B. Criminal Miscellaneous Bail Application No. 9343/2025** qua *lis* at hand. It was urged that the directions and conditions as imposed in **S.B. Criminal Miscellaneous Bail Application No. 9343/2025 (supra)**, be imposed herein.

4. It was submitted that the applicant is alleged to have created and operated fake social media and X (formerly Twitter) accounts and that the applicant is involved in organized criminal activity along with co-accused persons. The complaints registered through the 1930 Cyber Portal have reflected several instances implicating the applicant; hence, the plea of absence of antecedents is not tenable. It was further alleged that the applicant created a Facebook account under the name 'Pencil Company' and induced unemployed individuals and victims by giving false assurances of providing earning opportunities in connection with 'Natraj Pencil'

packaging work. Upon extracting money from such individuals, the applicant subsequently blocked their accounts.

5. Having considered the rival submissions made by the learned counsel for the parties, and upon perusal of the material available on record, this Court finds that the applicant is of young age; that the FIR has been lodged by the police authorities and not by any direct victim/complainant; and that the allegations, though serious in nature, are subject to trial. Considering the overall facts and circumstances of the case and but without commenting upon the merits or demerits of the case, this Court is of the considered opinion that the applicant deserves to be enlarged on bail subject to the additional conditions as imposed in order dated 11.11.2025 (para numbers 19 to 28) passed in **S.B. Criminal Miscellaneous Bail Application No. 9343/2025**. It is made clear that the said order and conditions encapsulated therein shall be treated as a part and parcel of the present order.

6. Accordingly, the bail application under Section 483 BNSS is allowed and it is ordered that accused-applicant **Tophik Khan S/o Aaiya Khan** shall be enlarged on bail provided he furnishes a personal bond of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of learned trial Judge for his appearance before the court concerned on all the dates of hearing as and when called upon to do so.

(SAMEER JAIN),J