

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 9034 of 2026

Nikhil Kumar, aged 27 years, S/o Ashok Kumar, R/o Surya Nagar,
Road No. 04, Near Bus Stand, P.O.- Head Post Office Ramgarh
located at Thana Chowk, near NH 33, P.S. Ramgarh Police Station
situated on Gandhighat Road in Ramgarh Cantonment, District-
Ramgarh. **Petitioner**

Versus

The State of Jharkhand **Opposite Party**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Abhishek S. Sinha, Advocate
: Ms. Anisha Sahu, Advocate
: Mr. Kundan Kumar, Advocate
: Ms. Puja Kumari, Advocate
: Mr. Abhishek Sharan, Advocate
For the State : Mr. Shailendra Kumar Tiwari, Spl. P.P.

Arguments concluded on 14.10.2026 **delivered on 15.10.2026**

1. The petitioner is in custody since 31.05.2026 in connection with Cyber P.S. Case No. 05 of 2026 registered at Cyber Crime Police Station, District Ramgarh for the alleged offence registered under Section 111(2)(b), 111(4), 316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023 and Sections 66 (C) and 66(D) of the Information Technology Act, 2000, pending in the Court of learned Chief Judicial Magistrate, Ramgarh.
2. ***Learned counsel for the petitioner has submitted*** that the only allegation against the petitioner is that SIM card of the informant was used in the phone of the petitioner and this happened only once i.e. on 06.12.2025 between 7:32 PM and 7:38 PM to get the OTP to activate the bank account of the informant. Learned counsel has further submitted that the syphoning off amount of Rs.43,00,000/- has happened during the period from 11.12.2025 to 03.01.2026 and the mobile of the petitioner was not used during the said period.
3. It is further submitted that the petitioner is not known to the informant, but except the use of the mobile of the petitioner as

mentioned above, the petitioner is not involved in the alleged offence at all. The learned counsel has submitted that the petitioner is a close friend of Vikash Kumar @ Vikash Yadav and consequently, there has been numerous phone connections between the petitioner and Vikash Kumar @ Vikash Yadav, but the same itself is not sufficient to implicate the petitioner in the alleged offence. Charge sheet has already been submitted.

4. He has also submitted that the petitioner has one criminal antecedent, but the same does not relate to any cyber offence. He has submitted that the said case has ended in compromise. However, the learned counsel for the opposite party-State, upon perusal of the documents shown by the learned counsel for the petitioner has submitted that the compromise has been recorded only in the anticipatory bail order and accordingly, the case is pending. This aspect of the matter has not been disputed by the learned counsel appearing on behalf of the petitioner.

5. ***Learned counsel appearing on behalf of the opposite-party State has opposed the prayer*** for bail and has submitted that it is a case of organized crime and the petitioner was instrumental in syphoning off Rs.43,00,000/- in connivance with the co-accused including Vikash Kumar @ Vikash Yadav, who has been instrumental in opening the bank account and even as per the case of the petitioner, the OTP was received in the phone of the petitioner.

6. Learned counsel has also submitted that it is a case of organized crime and several bank account holders have been defrauded as a result of the use of the bank account of the informant and bank account was found blocked.

7. Learned counsel has submitted that there has been transaction to the extent of ***Rs.43,00,000/-*** and, as per the informant, none of the transaction was done by the informant.

8. He has further referred to the case diary and has submitted that the persons staying in Maharashtra, Tamilnadu, Delhi have been cheated and cases have also been lodged in those States. Though, the

charge sheet has been submitted, but further investigation is still going on.

9. Learned counsel has further submitted that Vikash Kumar @ Vikash Yadav has stating in his confessional statement that on instigation of the present petitioner, Vikash Kumar @ Vikash Yadav had obtained the passbook, ATM card and SIM of the informant and had handed over the same to the petitioner and the SIM of the informant was used in the phone of the petitioner and ultimately the fraud was committed.

10. *After hearing the learned counsel for the parties this Court finds* that as per the prosecution case, the informant was in need of money which was known to the co-accused namely Vikash Kumar @ Vikash Yadav, who was having mobile No.7903145727, who is cousin of her neighbor Dani Yadav. Vikash Kumar @ Vikash Yadav had assured the informant that he would get a loan sanctioned from Bank of Maharashtra and took her Aadhar Card and passport size photograph. On 13.11.2025, Vikash Kumar @ Vikash Yadav took her and her brother Ashish Kumar Singh to the Bank of Maharashtra to open an account and took her signatures on the pretext of requirement of new SIM Card. The accused Vikash Kumar @ Vikash Yadav took her SIM Card vide mobile No. 9608483024 standing in the name of her brother Ashish Kumar Singh and on the date of opening bank account, she paid an amount of Rs.2,000/-. It is alleged by the informant that after opening the bank account, she went to Ranchi to make a living and again returned to Ramgarh on 29.11.2025 and, upon her return, the co-accused Vikash Kumar @ Vikash Yadav asked her to go to the bank to receive her passbook of Account No. 60555309928 along with her ATM card. She has further alleged that Vikash Kumar @ Vikash Yadav was also present there and on the pretext of providing her loan, he took her passbook and ATM Card and after some time, when she asked for return of her passbook and ATM Card, he replied that the same will be given to her after the process of sanction of loan and subsequently, on 13.01.2026 when she

went to Bank of Maharashtra and inspected her bank account, she came to know that an amount of Rs.43,00,000/- was already cheated by accused Vikash Kumar @ Vikash Yadav by defrauding several bank account holders, as a result of which her account was already blocked.

11. Vikash Kumar @ Vikash Yadav was arrested and his confessional statement was also recorded who confessed his guilt and explained the modus operandi of commission of cyber offence by, interalia, including the petitioner which has resulted in using the bank account, SIM and ATM etc of the informant to defraud other persons. The details of some of the persons who have been defrauded in different places of India have been mentioned in paragraph 82 of the case diary which mentions details of 4 complaints and paragraph 83 of the case diary reveals that co-accused Vikash Kumar @ Vikash Yadav resident of Jamui, Bihar has cheated the informant in the name of helping her in obtaining loan from bank and got a bank account opened in her name and got the ATM issued and handed over the SIM, ATM of the informant to the petitioner and the petitioner along with other criminals utilised the bank account of the informant to commit cyber fraud to the extent of Rs.43,00,000/-. The informant came to know about commission of cyber fraud using her account only when she went to the bank to enquire about the status of her bank account and found that the account was blocked on the basis of the account being used for cyber fraud.

12. Thereafter, the petitioner was also arrested and the petitioner confessed his guilt and admitted that in paragraph 78 and 79 of the case diary it has been recorded that the SIM card of the informant was used in the phone of the petitioner on 06.12.2025 between 7:32 PM and 7:38 PM and in the 2nd slot of the details mentioned in paragraph 78 of the case diary the phone number of the petitioner, 8434375361, was also found to get the OTP to activate the bank account of the informant. In paragraph 146 and 147 of the case diary materials collected during investigation has been referred to come to say that the

mobile of the petitioner was used to activate online banking in the bank account of the petitioner. It has further been recorded in the case diary that thereafter the location of the registered mobile number of the bank account of the petitioner was throughout found in Jamshedpur where numerous transactions through ATM was found. The CCTV footage of the withdrawal through ATMs have also been collected during investigation. The petitioner in his confessional statement has stated that the ATM and the mobile linked with bank account was handed over to one Vikrant Singh alias Biku and the petitioner destroyed his both the mobiles which is alleged to be used in commission of cyber offence as soon as he came to know that the police was searching for the petitioner.

13. There is enough material collected during investigation that the Vikash Kumar @ Vikash Yadav along with the petitioner and other co-accused are involved in fraudulently asking the petitioner to open the bank account so that she could obtain loan and fraudulently activating the online banking in the bank account of the petitioner by using the SIM linked with the bank account and obtaining the OTP in the phone of the petitioner and further using the bank account in committing online banking fraud to the extent of Rs. 43,00,000/-. After fraudulent activation of the online banking in the account of the informant the mobile location of the phone linked to the bank account was throughout found at another city, Jamshedpur from where the cyber fraud was committed using the bank account standing in the name of the informant.

14. Several complaints have been found in connection with cyber fraud through the bank account of the informant which led to blocking of the bank account and the informant came to know about the financial fraud so committed when she went to the bank to find out the status of her account and found that the account was blocked on account of commission of online financial fraud.

15. There is enough material to connect the petitioner to the alleged offence and further investigation is going on and if the petitioner is

released on bail there is all likelihood that the petitioner may tamper the evidence. In view of the aforesaid discussions, this Court is not inclined to enlarge the petitioner on bail.

16. This bail application is hereby **rejected**.

17. Let a copy of this order be communicated to the concerned court through “Fax/e-mail”.

(Anubha Rawat Choudhary, J.)

15.10.2026
Rakesh/-
Uploaded On:- 15.10.2026