

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.36558 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- Cyber P.S. District- Samastipur

Md. Atif Husain, Son of Md. Zakir Husain @ Md. Zakir Hussain, Resident of village - Andauli, P.S.- Parihar, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 41420 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- Cyber P.S. District- Samastipur

Md Sitare Ahmad, S/o Abdul Mannan, Resident Of Village- Andauli ward No 13, P.S.- Parihar, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 36558 of 2025)  
For the Petitioner/s : Mr. Nafisu Zzoha, Advocate  
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP  
(In CRIMINAL MISCELLANEOUS No. 41420 of 2025)  
For the Petitioner/s : Mr. Sanjay Kumar, Advocate  
For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

3      14-08-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners seek regular bail in connection with  
Samastipur Cyber P.S. Case No. 26 of 2025 for the offences  
registered under Sections 3(5), 111(2), 316(2), 318(4), 61(2), 323,  
319(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(C),  
66(D) of the I.T. Act.



3. Allegation against the petitioners is that they along with other co-accused persons told the informant that they will assist the informant to recover the amount from the hacked gaming app Daman against which they asked Rs. 5,00,000/- (Rs. Five lacs). Further allegation is that when the informant had given his mobile phone for sometime to the accused persons who tried to port the mobile number to another network without his knowledge and they changed the password and ID of his Daman Account and his account was again hacked.

4. Learned counsels for the petitioners submit that petitioners are innocent and have falsely been implicated in this case. The informant was himself involved in the illegal act of gaming and no money has been transacted with the petitioners. Nothing incriminating material recovered from possession of the petitioners. Petitioner Md. Atif Husain, is a student having one criminal antecedent in which the police has already submitted final form and the other petitioner namely Md. Sitare Ahmad has no criminal antecedent. Both the petitioners are in custody since 11.04.2025. Charge-sheet has already been submitted and there is no chance of tampering with the evidence or absconding of the petitioners. They undertake to co-operate in the trial.



5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioners.

6. Considering the submissions made on behalf of the parties and facts and circumstances of the case, let the petitioners, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned/Sub Judge V -cum-A.C.J.M. 2<sup>nd</sup>, Samastipur in connection with Samastipur Cyber P.S. Case No. 26 of 2025.

(Sunil Dutta Mishra, J)

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