

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22161 of 2026

Arising Out of PS. Case No.-696 Year-2025 Thana- KATEYA District- Gopalganj

Sarwar Ali S/O Sawkat Ali R/O Village- Jaipur, P.S- Kateya, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Eashita Raj

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-04-2026 Heard the learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with Kateya P.S. Case No. 696 of 2025 registered for the offence under Section(s) 318(4), 316(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the petitioner and co-accused Abdul Kadir provided a tourist visa to the informant and one Mukesh Yadav on the pretext of sending them abroad and took Rs. 2 lakh from each person. They stated that the informant and Mukesh Yadav were being sent to Russia for two years. However, when the informant and Mukesh Yadav arrived abroad and made inquiries at the airport, they came to know that they had been sent to Kyrgyzstan on a tourist visa. There, their



passports were seized, and they were asked to pay Rs. 50,000 for their return. They paid the amount, after which their passports were returned. Thereafter, the informant and Mukesh Yadav returned to India.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. She further submits that the petitioner is a local person and is not involved in sending people abroad. She also submits that the petitioner's brother had gone to Kyrgyzstan, and the informant and others had approached the petitioner as they were interested in going there for work. Thereafter, the petitioner spoke with his brother, who asked them to get their passports made and come to Kyrgyzstan. They went there after completing the necessary documentation, but since they were unable to work in the cold environment, they returned and filed a false case and the brother working in Kyrgyzstan is also accused in this case. Lastly, it is submitted that the petitioner is in custody since 08.02.2026 and there is general and omnibus allegation against him.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances and the nature of allegation levelled against the petitioner as



well as the period of custody, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kateya P.S. Case No. 696 of 2025.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

Shishir/-

(Sandeep Kumar, J)

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