

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22221 of 2026

Arising Out of PS. Case No.-101 Year-2025 Thana- Cyber P.S. District- East Champaran

Saddam Hussain Son of Idris Ansari Resident of Village- Phajalpur Mahraula
Tarai Bihar, Ward No. 25, Rudrapur, District- Udham Singh Nagar,
Uttarakhand, At present- 2 No. Motilal Colony, Majaumder Dara, Dum-Dum
near 1 no. Gurudwara, Kolkatta- 700079

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

For the Informant : Mr. Karandeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2026 Heard Mr. N.K. Agrawal, learned senior counsel
for the petitioner, Mr. Rajiv Nayan, learned Additional Public
Prosecutor for the State as well as Mr. Karandeep Kumar,
learned counsel for the Informant.

2. Petitioner seeks bail who is in custody since
29.12.2025 in connection with Motihari Cyber P.S. Case No.
101 of 2025, F.I.R. dated 24.06.2025 for the offences punishable
under Sections 318(4), 319(2), 338, 336(3), 340(2), 303(2) of
the Bharatiya Nyay Sanhita, 2023 and 66(c), 66(D) of the IT
Act.

3. As per F.I.R, the petitioner and other co-accused
persons took money Rs.21,75,000/- from the informant and his



three associates in the name of preparing document and sending them to abroad for employment. However, on verification, the documents were found to be forged and when informant demanded money back from the accused persons, the accused persons abused and assaulted him and threatened to face dire consequences.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case.

5. Learned counsel for the petitioner submits that petitioner is ready to return Rs.21,75,000/- to the informant.

6. The learned Additional Public Prosecutor for the State and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents but fairly submits that informant is ready to receive the amount in question.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, East Champaran, Motihari in connection with Motihari Cyber P.S. Case No. 101 of 2025, subject to the following



conditions:-

i. One of the bailors shall be close family member of the petitioner.

ii. At the time of furnishing bail bond, the petitioner shall produce a demand draft of Rs. 10,00,000/- (Rupees Ten Lakh) in favour of the informant and learned court below is directed to handover the said demand draft to the informant or his representative and rest amount of Rs. 11,75,000/-(Rupees Eleven Lakh Seventy Five Thousand) shall be paid to the informant within a period of six months. If the petitioner fails to deposit the rest amount of Rs. 11,75,000/-(Rupees Eleven Lakh Seventy Five Thousand) to the informant, the informant shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioner.

iii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iv. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



v. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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