

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75949 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- Cyber P.S. District- East Champaran

Husne Ali Saifi S/O Abdul Kalam @ Abdul Kalim R/O Village- Laguniya,
Ward No.-11, P.S- Pahar Pur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Motihari Cyber P.S. Case No. 78 of 2025 registered for the offences punishable under Sections 338, 336(3), 340(1), 303(2), 318(4), 319(2), 61(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the ‘B.N.S.’) and section 66(C) 66(D) of the Information Technology Act.

3. As per FIR, petitioner was suspected to hack the RCMS Portal for issuance of Ration Card and other personalized documents. The alleged cyber fraud committed



by other co-accused persons also.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was running Customer Service Centre (CSC) and having certificate of Business Correspondence/Facilitators, as issued from Indian Institute of Banking and Finance.

5. It is submitted that even the seizure list not suggests any incrimination against the petitioner for the reason that the seized items are essential and electronic equipments as to run the CSC and same belongs to this petitioner. It is pointed out that save and except suspicion as RCMS Portal was hacked by this petitioner and others, the petitioner was implicated with the present case, who is a man of clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the fact as except suspicion *prima-facie* nothing incriminating appears against this petitioner even from the seizure list, coupled with the fact that petitioner is a man of



clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran/concerned court in connection with Motihari Cyber P.S. Case No. 78 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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