

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84009 of 2025

Arising Out of PS. Case No.-177 Year-2024 Thana- SULTANGANJ District- Patna

Md. Saddam @ Sabbu S/o Late Md. Firoz R/o Mohalla- Sahaganj, Near
Chauraha, Ps- Sultanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K.Agarwal
		Mr.Danish Raja
		Md.Tipu Sultan
		Mr.M.K.Thakur
For the Opposite Party/s :		Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 11-02-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sultanganj P.S. Case No. 177 of 2024, F.I.R dated 03.05.2024 registered for the offences punishable under Sections 420, 406, 506 & 34 of the Indian Penal Code.

3. According to prosecution case, the FIR was lodged by Yashmin Salma before S.H.O., Sultanganj, alleging that in 2023 she contacted Md. Saddam @ Sabbu and S.M. Afsar, who introduced themselves as property dealers and showed her a three-storey house allegedly owned by Salma Khatoon. A deal for Rs. 65 lakhs was finalized, and she paid Rs. 30 lakhs as



earnest money Rs. 20 lakhs in cash and Rs. 10 lakhs through bearer cheques. Later, the accused avoided registration, and she discovered that the alleged owner was a fake person with forged documents. When she demanded her money back, the accused threatened her and her family, revealing a planned fraud.

4. At the outset, Senior Counsel, *Sri N.K.Agarwal*, who appears for the petitioner submits that the petitioner is ready to pay that the amount to the tune of Rs. 5,00,000/- for which, the liability upon this petitioner is fastend and the petitioner proposes to pay Rs. 2,50,000/- on the date of surrender and the rest amount to the tune of Rs. 2,50,000/- would be paid in an interval of six weeks. On the basis of the stand so taken, prayer is made that petitioner may be allowed the privilege of anticipatory bail. On the other hand, informant is represented through *Sri Mukesh Kumar Thakur* submits that if the petitioner is ready discharge his liability then appropriate order may be passed in this regard.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the stand taken by the parties, this Court is of the view that the learned Trial Court would accept the bail bond of this petitioner on surrender, being made within



the period of three weeks from today subject to payment of Rs. 2,50,000/- through Demand Draft prepared in the name of the informant and another amount, which shall be paid within a further period of six weeks from the date of surrender subject to such undertaking being given by the petitioner. In view of the stand so taken, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 S.D.J,M, Patna in connection with Sultanganj P.S. Case No. 177 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two



consecutive dates without plausible reason will entail
cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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