

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86739 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- Cyber P.S. District- Sheikhpura

1. Md. Zahid Hussain @ Md. Zahid @ Zahid Hussain, S/o Late Md. Yunus Resident of Village - Charuawan, P.S - Shekhopur Sarai, District - Sheikhpura
2. Md. Sakir Hussain @ Md. Sakir, S/o Md. Zahid Hussain @ Zahid, Resident of Village - Charuawan, P.S - Shekhopur Sarai, District - Sheikhpura
3. Nahid Khatoon, W/o Md. Zahid Hussain @ Md. Zahid @ Zahid Hussain, Resident of Village - Charuawan, P.S - Shekhopur Sarai, District - Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Md. Abbas, Resident of Village - Charuawan, P.S - Shekhopur Sarai, District - Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N A Shamsi, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. N. A. Shamsi, learned counsel for the petitioner and Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sheikhpura Cyber P.S. Case No. 28 of 2025, F.I.R. dated 23.08.2025 for the offences punishable under Sections 65, 69, 75, 76, 77, 78, 79 of the BNS and Sections 4, 6, 8, 12 of the POCSO Act and Section 66(e), 67,(a) of the IT Act.

3. As per the First Information Report, on the pretext



of marriage accused Md. Zakir Hussain established physical relation and made a video of it and threatened the minor daughter of the informant to make the video viral. When the informant told the petitioner Md. Zahid about the occurrence then all the accused petitioners started abusing the informant.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R., rather the petitioners are made accused on the ground that petitioners are family members of the named accused Md. Zakir Hussain. Petitioner nos. 1, 2 and 3 are father, brother and mother of the co-accused Md. Zakir Hussain. There is no specific allegation against the petitioners.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that petitioners are named in the F.I.R. but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, the petitioners have clean antecedent and no specific allegation



of assault is against the petitioners, let the petitioners, above named, in the event of 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 District & Additional Sessions Judge-cum-Exclusive Spl. Judge, (POCSO), Sheikhpura in connection with Sheikhpura Cyber P.S. Case No. 28 of 2025, 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. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

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

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bond 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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