

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5785 of 2024**

Arising Out of PS. Case No.-31 Year-2023 Thana- Cyber P.S. District- Darbhanga

Gajendra Patel @ Amit Kumar S/o Bhagirath Raut Resident of village  
Sangrampur Imaliya Tola, PS Sangrampur, District Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Saurav Kumar Suman, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      16-04-2024                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned Additional Public  
Prosecutor for the State.

2. The petitioner seeks regular bail in connection with  
Darbhanga Cyber P.S. Case No.31 of 2023, lodged on  
01.08.2023, under Sections 420/376/471/474 of the Indian Penal  
Code and under Section 67A of I.T. Act, 2000.

3. As per the prosecution, the accused who is holder  
of a particular mobile number used to call the informant in a  
hotel, committed rape and at a subsequent time started putting  
pressure to the informant to call her daughter also otherwise  
threatened to make the photographs of the informant viral. Upon  
disobey, the accused has made the video viral and thereafter the  
present case has been filed.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that antecedent of the petitioner is clean. He is in custody since 20.08.2023. Counsel submits that it is not the petitioner rather the informant herself make the picture viral.

5. Learned counsel for the State opposes the prayer for bail and submits that it is on the basis of the argument this Hon'ble Court on the previous occasion called for the case-diary.

6. Learned counsel for the informant vehemently opposed the prayer for bail and submits that the allegation made is absolutely correct and true. Any prudent lady shall not accept such type of demand of anyone.

7. Upon perusal of the case-diary, it transpires that a certificate has been filed by the Sub-Inspector Incharge Cyber Branch, under Section 65B, who supported the allegation of the informant made in the FIR.

8. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

**(Dr. Anshuman, J)**

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