

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26589 of 2024

Arising Out of PS. Case No.-2 Year-2023 Thana- Cyber P.S. District- Siwan

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Amit Kumar Pandey Son of Sri Arun Kumar Pandey Resident of Village -
Bhudwar, P.S.- Bankata, Dist.- Deoria (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Siwan Cyber
P.S. Case no. 2 of 2023 registered for the offences punishable
under Sections 67/67(A) of the I.T. Act.

3. Allegedly, on the pretext of marriage, petitioner is said
to have taken obscene photographs of the informant without her
knowledge during video calls and made them posted on social
media.

4. It is submitted by learned counsel for the petitioner
that the petitioners is quite innocent and he has committed no
offence. No such occurrence as alleged ever took place. He has
been falsely implicated in this case due to ulterior motive. The
allegation levelled against the petitioner is totally false and



based on concocted facts. The real fact is that the petitioner and the informant are in distant relationship and with consent of their family members, they solemnized their marriage in Sri Hareram Baba Temple, Mairwa. After death of the informant's father, she has been appointed on compassionate ground in the year 2021 and thereafter, her behaviour towards the petitioner and his family got changed. Even after much persuasion, she did not get ready to live with the petitioner and threatened him to implicate him and his entire family in a false case. Thereafter, the petitioner filed a matrimonial case vide Matrimonial Case No. 381 of 2023 under Section 9 of the Hindu Marriage Act on 29.04.2023 for restitution of conjugal rights. In retaliation of the same, the present FIR has been lodged by the informant on 21.06.2023 only with an intention to put pressure upon the petitioner so that he may not pursue his matrimonial case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Considering the facts and circumstances of case as well as the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.



7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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