

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58023 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- Cyber P.S. District- Saran

Biru Kumar @ Biru Kumar Singh @ Namrendra Kumar Singh S/O Munna
Singh R/O Village- Tarwa Mangar Pal, .P.S- Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 25-11-2024 Heard Mr. N.K. Agarwal, learned Senior Counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Cyber Saran P.S. Case No. 168 of 2024 for the offence punishable under Sections 354A, 354C, 354D, 500, 504, 506, 509 of the Indian Penal Code and sections 66E, 67, 67A of I.T. Act lodged on 28.05.2024 by the informant, Kajal Kumari.

3. As per the prosecution story, the informant alleged that the petitioner is cousin of her husband and one day while he stayed in her house, committed wrong and the same was photographed/videographed. Thereafter, he started threatening the lady to leave home failing which the photos will be made viral.

4. The different documents/chats/photographs clearly shows that the allegation made by the informant is/are correct.



5. Learned Senior Counsel submits that this petitioner has no criminal antecedent, is 24 years old, is cousin of the informant's husband, there may have been some dispute which resulted into his implication. The FIR is there, he will have to face the trial, is in custody since 26.06.2024 (para-11 of the petition) if granted relief, he shall not remain in the district for six months and will submit the address of his new place to the local police where he shall be visiting every 15 days for six months. Further, he shall make no contact either by the informant and/or her family members and if he indulges in any such activity either personally or through any communication and/or tries to defame the family, they shall be free to take immediate steps for cancellation of bail, if relief is granted.

6. Learned APP opposes the prayer submitting that he has made the life of the married lady hell.

7. Allegation is there, in the opinion of the Court, the same is grave, even if the relationship was consented, the petitioner has no right to make the photos/videos of the lady viral. At first instance, this Court was not inclined to grant relief, but as he is a young person, has no criminal antecedent, is in custody since 26.06.2024, an undertaking has been given that he shall be leaving the district for next six months and the details will be submitted to the Trial Court at the time of execution of bail bond



and will appear before the Police Station of the district where he will stay for six months every 15 days, this Court is inclined to grant him bail. However, if he tries to harass either the informant/family member, the informant shall be free to take steps for cancellation of his bail bond.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-IV, Chapra, in connection with Cyber Saran P.S. Case No. 168 of 2024 subject to the following conditions:

(i) one of the bailor should be parents either mother or father of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the Police Station of the district of stay every fortnight for next six months to mark his attendance. He shall provide the details of his stay for next six months in a district other than Saran at the time of execution of his bail bond;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
and/or make any contact with them, failing which the State shall
be at liberty to take steps for cancellation of the bail bonds;

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

(Rajiv Roy, J)

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