

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21095 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- Cyber P.S. District- West Champaran

Guddu Sah S/o- Narsingh Sah Resident of village- Chaubariya Police Station-
Chautarwa District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 14-08-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Cyber Police Station Case No. 18 of 2024, dated 08.10.2024, disclosing offences punishable under Sections 75/351(2)/352 of the Bhartiya Nyaya Sanhita, 2023 and Section 66(E)/67/67(A) of the I. T. Act.
3. The prosecution case, as per the First Information Report, is that the petitioner took the obscene video of the informant while she was taking bath and started pressurizing her to come to meet him otherwise the video would be made viral among some villagers. Subsequently, the petitioner started talking with the informant after showing her the obscene video. When the informant



blocked/blacklisted the mobile number of the petitioner, then the petitioner started calling her with another mobile no. 9871222868. Thereafter, the petitioner sent the video on the mobile number of the informant's husband, bearing no. 8595104561. The petitioner has been harassing the informant and pressurizing her to make physical relationship by threatening her to make the obscene video viral. The mobile number of the petitioner is 7717379301. Lastly, it has been alleged that the petitioner made the video viral among the villagers.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive. The real fact is that the informant's husband is living outside the State for earning his livelihood and taking advantage of the absence of her husband and due to loneliness, the informant started talking to the petitioner through her mobile phone, which would be evident from the photographs of the informant herself in the protest petition filed before the learned District Court. When the husband of the informant came to know that the informant used to talk to the petitioner, the present First Information Report has been lodged by



the informant in order to save her skin. All other sections alleged against the petitioner are bailable in nature except Section 67 of the I.T. Act. During investigation, the police has not found any material to show that the obscene video has been made viral.

5. Learned Additional Public Prosecutor, referring to the case diary, submits that the details of phone numbers on which the obscene video was made viral have not been brought on record by the police during investigation, however, the police, on the basis of the C.D.R., has found that the petitioner used to talk to the informant.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that during investigation, the police has not brought on record the names of the villagers upon whose phone numbers the alleged obscene video has been made viral and after verifying the C.D.R., the police has only come to the finding that the petitioner used to talk to the informant on her mobile phone, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest



or surrender before the Court below within a period of four weeks from today, 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 learned Additional Chief Judicial Magistrate II, West Champaran, at Bagaha, in connection with Cyber Police Station Case No. 18 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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