

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34331 of 2024

Arising Out of PS. Case No.-6 Year-2023 Thana- Cyber P.S. District- Aurangabad

Md. Sahid Ali S/o Late Mazhar Ali @ Late Mazhar Sidhiki R/o vill - Bihta,
P.s. - Haspura, Distt. - Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Golden Khatoon w/o- Parvez Ansari, village - Balhama, P.S- Daudnagar,
Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

11 16-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Aurangabad Cyber P.S. Case no.06 of 2023 registered
under sections 420, 467, 468, 471, 500, 504 and 506 of the
Indian Penal Code and Section 66(c), 66(d) and 67 of the I.T.
Act.

3. As per the prosecution case, the informant states
that the petitioner had made a fake account on the Facebook and
had made some videos and photos of the informant viral. The
informant further states that he blackmailed her to talk to him or
else he would made the photographs and videos viral on social
media. It has further been alleged that the petitioner created an



account in the name of the informant herself and made her photographs and videos viral. Hence, the F.I.R.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The petitioner has no role in making photographs and videos of the informant, transmitted in the Facebook or making it viral. He further submits that there is no evidence in this regard collected even during the course of investigation and hence, the provisions of I.T. Act would not be applicable in the present case. Learned counsel further submits that there was love affair between the petitioner and the informant prior to her marriage in which there was some exchange of photographs but however, the petitioner never made any objectionable photographs or videos and never made it viral. The petitioner is a student of graduation and his career would be jeopardized if he sent behind the bars. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State who points out that paragraph 5 and 12 of the case diary shows the statement of the husband of the informant and another witness who have supported the prosecution case. In response, learned counsel for the petitioner



has stated that it is the informant’s husband and his acquaintance who have supported the prosecution case. So far as verification of creation of any link etc., is concerned, there is no substantial evidence with regard to the same collected during course of investigation.

6. Considering the rival contentions of the parties including the fact that the petitioner alleges of being in love relationship with the informant and also considering the fact that the petitioner is a student having no criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Aurangabad Cyber P.S. Case no.06 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Aurangabad, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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