

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32157 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- Cyber P.S. District- Saharsa

Isanand Kumar @ Ishanand Kumar son of Shayam Sundar Yadav Village-
chakla, Po- Dhanchhoha, Ps- Baijnathpur, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Amarnath Jha, Adv. Mr. Kumar Rajdeep, Adv. Ms. Diksha Kumari, Adv.
For the State	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Madhav Jha, Adv. Mr. Nishant Choudhary, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 01-09-2025 Heard learned senior counsel for the petitioner and

learned APP for the State as well as learned counsel for the

informant.

2. In the present case, the petitioner seeks bail in
connection with Saharsa (Cyber) P.S. Case No. 71 of 2024
registered on 29.12.2024 for the offences under Sections 75, 77,
79 and 318(4) of the BNS and Sections 66(C), 66(D), 66(E) and
67(A) of the I.T. Act, 2000.

3. As per prosecution case, informant came with the
petitioner to Patna for appearing in the examination of
BELTRON. In the night, they stayed in a hotel and the petitioner
took nude photographs of the informant without her knowledge.



Thereafter, the petitioner asked the informant to make sexual relationship with him otherwise he would make her nude photographs viral on facebook. When the informant refused, the petitioner made her photographs and also the photographs of the family members viral. Further allegation is that the petitioner linked the account number of the informant with his mobile number and was involved in illegal transactions.

4. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. From the contents of the FIR, it is apparent that the informant was having good terms with the petitioner and both of them stayed together in a hotel. The photographs annexed with the FIR show these photographs have been taken at different places and in different postures. Therefore, it could not be said that the photographs were taken without the consent of the informant. The present case has been lodged after much delay and there is no explanation for the same. Petitioner is a Ward Member and due to village politics, he has been falsely implicated in this case. Petitioner is in custody since 30.12.2024 and charge-sheet has been submitted. Petitioner is having clean antecedent.



5. Learned A.P.P. as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the photographs of the informant show these photographs have been taken without consent of the informant and the petitioner put pressure on the informant to make physical relation with him.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with his clean antecedent and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa/concerned court in connection with Saharsa (Cyber) P.S. Case No. 71 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court



below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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