

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31529 of 2025

Arising Out of PS. Case No.-295 Year-2024 Thana- Cyber P.S. District- Saran

Ajay Kumar, Son of Prabhu Nath Mahto, Resident of village- Sutihar,
Nantola, Police Station- Derni, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Heard the parties.

2. The petitioner seeks regular bail, who is in custody in connection with Cyber P.S. Case No. 295 of 2024 registered for the offences punishable under Sections 75, 77, 79, 351(2), 351(3), 361(4) of the BNS and Sections 67, 67(A), 67(E) of I.T. Act.

3. Allegedly the petitioner had made the photograph and video of the daughter of the informant viral through his mobile no. 8709247082 and continuously harassed and abused. When the informant called the petitioner, he was also abused with the filthy language.

4. Learned Advocate for the petitioner contended that during the entire investigation, the statement of the victim had not been recorded. In fact, from the materials collected during



the course of investigation, it appears that both the petitioner and the victim were in love and they used to exchange their photographs and the petitioner taking advantage of the same had persuaded and threatened the victim to come at some place, but since she refused to obey him, thereafter photographs and the video have been allegedly made viral. He further submits that in course of investigation, the photographs, which have been made viral, were brought in the case diary, but none of them appear to be obscene and indecent. The petitioner is a man of fair antecedent and now he has been incarcerated since 7.1.2025. He undertakes that he would never indulge in such type of crime.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the act of the petitioner of harassing the daughter of the informant is serious in nature and the language, which has been used in Chat appears to be wholly abusive and immoral.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the fact that in course of investigation, statement of the victim has not been recorded and the fact that the petitioner has been incarcerated since 07.01.2025; investigation is complete and charge-sheet has been submitted, coupled with the fair



antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Saran at Chapra in connection with Cyber P.S. Case No. 295 of 2024, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) In case, the petitioner shall be found indulged in such activities, the informant or the prosecution shall be at liberty to file appropriate application for cancellation of his bail.

(vi) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the



court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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