

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49599 of 2025

Arising Out of PS. Case No.-710 Year-2024 Thana- BEUR District- Patna

Deepak Kumar, S/O Mohan Prasad Gupta, R/O Village-Kochhasa, P.S.-
Kinjar, District- Arwal, and at present R/O Mohalla- Indrapuri, Road No. 01,
P.S.- Pataliputra, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ravish Mishra, Advocate
For the Informant : M/S. Amit Kumar Singh and Sudhir Kumar Singh,
Advocate
For the Opposite Party : Mrs. Suman Kumari Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 27-08-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Beur
P.S. Case No. 710 of 2024 dated 01.12.2024 registered for the
offences punishable under Section 352 of the B.N.S., 2023 and
Sections 67 and 67A of the I.T. Act.

3. As per the prosecution case, on 20.11.2024 at about
22.01 P.M., the informant received a video and message on his
WhatsApp No. 7979052924 from the Mobile No. 6202429879
of the petitioner. It is further alleged that a message using
abusive language and obscene material was sent from the
aforesaid mobile number which is annexed with the F.I.R. It is



further alleged that earlier the informant had lodged Patliputra P.S. Case No. 526 of 2024 against the petitioner for fraud, embezzlement of money after doing breach of trust, preparation of forged documents and for damaging his reputation and it seems to him that in retaliation to that the petitioner had sent obscene material and abusive language on his WhatsApp.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the alleged occurrence took place on 20.11.2021 and the F.I.R. has been lodged on 01.12.2024 and there is delay of eleven days in lodging the F.I.R., and no explanation for such delay has been given by the prosecution. It is further submitted that the petitioner after completing his B.Tech. Degree specializing in Information Technology, has been assisting the police, university and even the Bihar Judicial Academy in the field of Cyber Crime, and on his work front he won several accolades and certificates. It is further submitted that the petitioner and the informant were having monetary transactions and when the petitioner demanded his due money back, the informant took recourse to this case. It is further submitted that one Shivam Agarwal who is the friend of the informant and on the instruction of the informant, he has



also sent several obscene messages to the petitioner for which the petitioner has filed an F.I.R. against the informant and Shivam Agarwal in Patliputra Police Station. The petitioner has fourteen criminal antecedents and out of which, in seven cases he is on bail, in two cases, he has already been acquitted and in one case, he has been convicted for three years for which his appeal is pending for adjudication as stated in paragraph no. 3 of the present bail petition as well as in paragraph nos. 3 and 4 of the supplementary affidavit filed on behalf of the petitioner. The petitioner is in custody in this case since 16.04.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and has submitted that the petitioner is named in the F.I.R. Learned counsel for the informant has filed a counter affidavit dated 25.08.2025 and has submitted that the witnesses have supported the prosecution case. He further submitted that that several case are pending against the petitioner and all cases are same and similar in nature after taking revenge of cyber expert extorted the money from the innocent persons.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond



of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Beur P.S. Case No. 710 of 2024 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

II. If the petitioner is found in similar nature of offence in future, the prosecution will be at liberty to file an application for cancellation of bail of the petitioner.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

