

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55972 of 2025

Arising Out of PS. Case No.-07 Year-2025 Thana- Cyber P.S. District- Madhepura

1. Karishma Kumari D/o Sudhir singh Resident of Village - Khapur, P.S. - Krishanpur, Ratwara, District - Madhepura
2. Dilkhush Kumar Son of Sudhir Singh R/o Village - Khapar, P.S. - Krishnapur, Ratwara, Dist. - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pooja Prasad, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehends arrest in connection with Madhepura Cyber P.S. Case No. 7/2025 lodged on 08.02.2025, for the offences punishable under sections 74, 79, 352, 351(2), (3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and 66 (E), 67 of the I.T. Act.

3. As per the prosecution, the F.I.R. has been lodged against the petitioners alleging that petitioner no.1 clandestinely took obscene photographs of the informant and handed them over to petitioner no.2, who subsequently circulated the same on social media.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners have a clean antecedent. It is contended that the allegation of capturing obscene photographs of the informant is false, fabricated, and motivated by enmity. Petitioner no.1, being a female, could not have committed such an offence. In fact, petitioner no.1 and the informant were residing in a rented house for the purpose of study, where some male friends of the informant used to visit frequently, which was objected to by petitioner no.1. In that background, the present case has been lodged with frivolous allegations. Petitioner no.2, who happens to be the brother of petitioner no.1, has no connection whatsoever with the alleged offence. He has never met the informant, and the social media I.D. from which the alleged photographs were made viral is, in fact, a fake account allegedly created by the informant herself with ulterior motive. Learned counsel further submits that subsequently a compromise was entered into between the parties, which is evident from Annexure P-2 to the bail application.

5. On the other hand, learned APP for the State vehemently opposes the prayer for bail and submits that there is a direct allegation against the petitioners of making the obscene



photographs of the informant viral after secretly capturing the same.

6. Considering the nature of allegation levelled in the FIR against the petitioners, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail of the petitioners in connection with Madhepura Cyber P.S. Case No. 7/2025, pending before the learned CJM, Madhepura is hereby rejected.

7. However, if the petitioners surrender before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on their surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioners' anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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