

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70621 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- Cyber P.S. District- East Champaran

Rajneesh Kumar s/o late Jagat Narayan Thakur R/o Gaytri Nagar Beside the
Hospital, P.S.- Motihari Town, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Cyber
P.S. Case No. 58 of 2025 instituted for the offence under
Sections 78 & 79 of the Bharatiya Nyaya Sanhita, 2023 and
Sections 67 & 67(A) of the Information Technology Act.

3. That the prosecution story, in short, is that the
informant alleged that the petitioner sent obscene and edited
photos of his daughter from a fake email ID, demanded Rs. 15
lakhs through threatening calls, and upon refusal, blackmailed
and threatened to make the photos viral and harm the family. It
is further alleged that the petitioner also created fake Instagram
accounts using the victim's photos to continue the threats and



extortion.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.06.2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is delay of five days in lodging the FIR. It is submitted that the present FIR is a family-driven conspiracy motivated by extortion, arising from prior financial dealings and personal relations between the petitioner and the complainant's family. The petitioner has produced proof of monetary help, gifts, and voluntary communication, which negate the allegation of coercion. The FIR lacks independent witnesses, certified electronic evidence, and forensic authentication, making the offences under the IT Act unsustainable. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the



petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Cyber P.S. Case No. 58 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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