

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76802 of 2025

Arising Out of PS. Case No.-76 Year-2024 Thana- Cyber P.S. District- Katihar

Pashupati Kumar S/o Jagarnath Yadav (Amin) R/o - Pastpar, Ward no. 9, P.S -
Pastpar, District - Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Katihar Cyber P.S. Case No. 76 of 2024 registered for the offences punishable under Sections 318(4), 319(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 66(C), 66(D) of the Information Technology Act.

3. As per FIR, the informant, who is a married person, has been cheated by this petitioner alongwith other co-accused persons on false pretext that after treatment of the father of this petitioner the co-accused Dilwale Dulhaniya @



Arti Kumari will solemnize marriage with the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner himself claimed a married person and his wife was suffering from Cancer and heart ailment and out of said sentiment he transferred money. It is pointed out that assurance of marriage was given by the co-accused Dilwale Dulhaniya @ Arti Kumari and this petitioner implicated with this case only being her friend. It is further pointed out that matter appears compromised between the parties in terms of compromise dated 28.04.2025, filed before the court of learned Principal District & Sessions Judge, which is Annexure '2' (Page 16) of the present bail petition and moreover, where petitioner claimed to be a man of clean antecedent.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. In view of the aforesaid factual submissions and by taking note of the fact as the



false promise of marriage was not advanced by this petitioner, coupled with the fact that the matter appears *prima facie* compromised between the parties, accordingly, petitioner above-named, who is a man of clean antecedent, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar/concerned court in connection with Katihar Cyber P.S. Case No. 76 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.") with further condition:

(i) That petitioner shall not indulge in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for cancellation of bail bond of the petitioner, which shall be decided by trial court itself after giving opportunity of hearing to the



petitioner.

(Chandra Shekhar Jha, J)

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