

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78407 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- Cyber P.S. District- Rohtas

Prakash Kumar S/o- Dinesh Sah @ Dinesh Kumar Sah, aged about-27 years
Resident Of Village- Ajampur Desari, Ps- Chandpur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody in a case registered for the
offence punishable under Sections 77, 78, 79, 308(2) 351(2) of
the BNS.

3. As per the prosecution case, it is alleged that
someone has sent obscene photo on the whatsapp number of the
informant from an unknown number by hacking his ID from
Mobile No. 7282980163 and after some days the message is
being forwarded on his whasaspp number in different number
and continuously sent messages form this number and the
person also threatened the informant and demanded Rs. 50,000/-
from the informant otherwise the photo and video would be



viraled.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He next submits that petitioner has no concern with the alleged message sent on informant's mobile. He next submits that name of the petitioner has been came into light in the present case as petitioner is subscriber of the alleged mobile. He next submits that this is a case of extortion but there is no delivery of any property or any other article. He next submits that petitioner has never sent the message on the petitioner's whatsapp and the possibility cannot be ruled out that someone after hacking the ID sent such a message on the informant's ID and the police without proper verification arrested the petitioner and forwarded him to the custody. He next submits that petitioner is in custody since 06.09.2025 and has got only one criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for Regular bail of the petitioner.

6. Considering the facts and circumstances of the case as well as the submissions made by learned counsel for the petitioner, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Rohtas (Cyber) P.S. Case No.47 of 2025 with a condition that if the petitioner is again found to be indulged in the similar nature of offences, then it shall be presumed that petitioner has misused the privilege of bail and the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Ramesh Chand Malviya, J)

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