

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1577 of 2026

Arising Out of PS. Case No.-139 Year-2025 Thana- MAHALGAON District- Araria

Md. Noman @ Nauman S/o Suddin R/o Vill- Joginder, Ward No. 11, P.S.-
Mahagaon, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Ziaul Quamar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State .

2. Petitioner apprehends his arrest in a case registered for
the offence punishable under Sections 126(2), 115(2), 352, 351(2),
308(2)/3(5) of the B.N.S. and Sections 66(c), 66(D) of I.T. Act.

3. The allegation against the petitioner is that he prepared
obscene photos and videos of the informant and make it viral
thereafter petitioner demanded Rs.5 lakhs and informant gave Rs. 2
lakhs. The further allegation is that despite payment, the petitioner
allegedly continued sending obscene material to the mobiles
phones of the informant's husband and brother-in-law.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the present
case. He further submits that petitioner has no criminal antecedent,
as statement made in para 3 of the bail application.



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

6. The offences alleged to have been committed by the petitioner carries punishment less than 7 years. The Court below should have taken appropriate decision in terms of **Arnesh Kumar Vs. State of Bihar and Another 2014(8)SCC 273, Satendra Kumar Vs. CBI and Anr. in SLP(Cr.) No.5191 of 2021 and Naushad Ansari Vs. State of Bihar in Cr. Misc. No.3536 of 2024,** but instead thereof, the Court below has rejected the anticipatory bail of the petitioner.

7. Considering these facts and aforesaid decisions, I am inclined to grant anticipatory bail to the petitioner.

8. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Mahalgaon P.S. Case No. 139 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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(Alok Kumar Sinha, J)

