

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18795 of 2026

Arising Out of PS. Case No.-78 Year-2024 Thana- Cyber P.S. District- Siwan

Jarina Khatoon Son of Md. Sher Ali @ Sher Ali R/o Village - Chakiya, P.S.- Mahadeva, District - Siwan.

... .. Petitioner

Versus

- 1. The State of Bihar
- 2. X Wife of Y R/o Chakiya, P.S. - Mahadeva, Dist. - Siwna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-05-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. This is the 2nd attempt of the petitioner seeking bail in connection with POCSO Tr. No. 63 of 2024 arising out of Siwan Cyber P.S. Case No. 78 of 2024 registered for the offence under Sections 67A and 67B of I.T. Act read with Section 61(2) of B.N.S. and Sections 14 and 15 of POCSO Act.

3. Earlier, the bail application of the petitioner was rejected on 23.04.2025 in Cr. Misc. No. 21071 of 2025 which reads as follows:-

“Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with Siwan Cyber P.S. Case No. 78 of 2024 registered for the offence under Section



67A, 67B of the I.T. Act, under Section 61(2) of the BNS and under Section 14, 15 POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have taken nude pictures of 12 years old minor girl and have also shared it with her husband who made it viral.

4. The petitioner is in jail since 24.01.2025.

5. Considering the seriousness of the offence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this application is dismissed”

4. As per the prosecution case, the petitioner is alleged to have taken nude pictures of 12 years old minor girl and have also shared it with her husband who made it viral.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner is in custody since 24.01.2025 and has submitted that in trial, two out of six witnesses have been examined and for the last four months, no witness has been examined.

6. Learned A.P.P. for the State opposes the prayer for bail.

7. Considering the fact that the petitioner is a woman, her period of custody and delay in trial, this application for regular bail is allowed.

8. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with POCSO Tr. No. 63 of 2024 arising out of Siwan Cyber P.S. Case No. 78 of 2024 with further condition that:-

(i) The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bond of the petitioner.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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