

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15951 of 2026

Arising Out of PS. Case No.-207 Year-2024 Thana- KUDHNI District- Muzaffarpur

Subodh Kumar @ Subodh Kumar Sahni S/O Suresh Sahani R/O Vill.-
Chandrahatti, P.S.- Kudhani, Dist.- Muzaffarpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 21-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for bail in connection with Kudhani P.S. Case No.207 of 2024 registered for the offence punishable under Sections 64, 316(2), 318(4), 352, 351(2), 351(3) & 3(5) of the B.N.S. and under Sections 67, 67(A) & 66(E) of the I.T. Act.

3. The case of the prosecution, in short, is that the petitioner used to transfer money from the account of the informant's husband in his account as her husband is illiterate. It is alleged that the petitioner started coming to the house of the informant and on 03.03.2023, established physical relationship and threatened the informant that if she will disclose it to anybody, he will disclose the occurrence to her husband. After this, the petitioner started establishing physical relationship regularly with the informant and has also taken Rupees Four Lakh



for purchasing land from her. One day, the informant denied for establishing physical relationship. On 29.06.2024, the petitioner arrived at the house of the informant, threatened her of dire consequences and established physical relationship and kept video of the act and also threatened that he will make the video viral if she disclose it to somebody. It is alleged that the petitioner has given the video to one Suman Devi who has made the video viral.

4. Learned counsel appearing on behalf of the petitioner has submitted that from perusal of the FIR it is clear that first forceful physical relationship was established by the petitioner on 03.03.2023 and last was established on 29.06.2024, whereas this case has been filed on 25.10.2024; the delay is not explained. Only it has been stated that due to public shame, the informant has not filed the case earlier. Learned counsel for the petitioner has further submitted that actually he has handed over cash to the informant and when he has demanded the cash, she has filed this case. As far as making the video viral is concerned, it has been submitted that from perusal of the FIR it is clear that the allegation is that the video was handed over to one Suman Devi and from there it was made viral. During course of investigation, the mobile of Suman Devi was not seized rather the informant has given a video in pendrive which was collected by the I.O. and the case is based on that video which is received by the I.O. from



informant. Learned counsel for the petitioner has submitted that video which has been received in pendrive by I.O. cannot prove that from which source the video was made viral or released. Regarding other allegations it has been submitted that the delay speaks a lot.

5. The application for bail is opposed by learned counsel for the informant and he has stated that during course of investigation the supervising authority have repeatedly directed the I.O. to collect the mobile of Suman Devi but the I.O. has not collected the source of video and has filed chargesheet.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned A.C.J.M.- 1st Muzaffarpur in connection with Kudhani P.S. Case No.207 of 2024.

(Ashok Kumar Pandey, J)

durgesh/-

U		T	
---	--	---	--

