

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33437 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- Cyber P.S. District- Saran

Shubham Singh @ Chunnu S/o Prabhu Prasad @ Prabhujji R/o Mohalla -Nai
Bazar, Near Gandhi Masjid, P.S- Bhagwan Bazar, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv
: Mr. Vijay Kumar Srivastva, Adv
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 20-01-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Cyber Saran P.S. Case No. 246 of 2024 registered for the offences punishable under Sections 76, 77, 78, 356(2) and 3 of the BNS and Sections 67 and 67-A of the IT Act.

3. The allegation against petitioner is to capture objectionable photographs while chatting on video call and when informant stopped talking with petitioner same was uploaded to “Instagram” through **insta id:-drama_queen_70809020**, which belongs to informant.

4. It is submitted by Mr. N.K. Agrawal, learned Sr. counsel appearing on behalf of the petitioner that informant is 22 years old and she was fully aware that she was chatting with



petitioner in nude condition. It is pointed out that photograph in issue was captured under consent and sent to *insta id* of informant with her consent. It is submitted that infact when this petitioner who is 25 years old refused to continue relationship, present allegation was raised. It is pointed out that any date *qua* uploading of obscene photograph not appears available through this FIR which was lodged as an afterthought, when petitioner refused to continue relation with informant. While concluding argument, it is submitted that above named petitioner is a man of clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that allegation is specific against this petitioner.

6. In view of aforesaid factual submission and by taking note of fact as prima-facie nude photograph appears to be captured while having a video chat out of consent and prima-facie date of uploading alleged photos on social media not appears available, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saran at Chapra/concerned Court, where the case is pending in connection



with Cyber Saran P.S. Case No. 246 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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