

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42898 of 2026

Arising Out of PS. Case No.-63 Year-2026 Thana- BALIYA District- Begusarai

Niraj Kumar, S/o Sita Ram Pandit, R/o Village-Suryapur, P.S.- Bhagwanpur,
Distt.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Dharendra Kumar, Advocate
For the Opposite Party/s :	Dr. Indihar Kumari, APP
For the Informant :	Ms. Saroj Sandilya, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Ballia P.S. Case No.63 of 2026 registered under Sections 354-A, 341, 384, 509 and 506 of the Indian Penal Code.

3. As per FIR, petitioner alleged to send obscene message/photographs to the husband of the informant, making him mentally disturbed. It is alleged that the obscene photograph was captured by brother-in-law of the informant, namely, Shashi Pandit, while she was in relationship with him. Petitioner alleged as a friend of Shashi Pandit and also related with the informant.



4. It is submitted by learned counsel appearing for the petitioner that admittedly this petitioner was not in relation with the informant, as said allegation is available against co-accused Shashi Pandit. It is submitted that as per FIR, when the informant blocked the number of Shashi Pandit, this petitioner by using his own phone sent obscene photographs and message to her husband, which disturbed her marital life and also the mental health of her husband. However, it is said through FIR that she could not preserve the obscene photographs/message as sent by this petitioner and, therefore, the allegation regarding sending of obscene photographs through mobile phone is just a bald allegation, without having any cogent material. The petitioner claimed clean antecedent.

5. Learned APP duly assisted by Ms. Saroj Sandilya, learned counsel appearing for informant while opposing the prayer of bail submitted that this petitioner was actively involved in present crime in question.

6. In view of aforesaid factual submissions and by taking note of fact as the informant herself conceded while



authoring the FIR that the obscene photographs/message as sent by this petitioner are not available with her, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released 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, Begusarai in connection with Ballia P.S. Case No.63 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

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