

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85989 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Cyber P.S. District- Rohtas

Prakash Kumar S/o- Dinesh Sah @ Dinesh Kumar Sah Resident Of Village-
Ajampur Desari, Ps- Chandpur, Dist-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Rohtas
(Cyber) P.S. Case No. 35 of 2025 dated 17.06.2025 registered
for the offence(s) punishable under Section(s) 78, 79, 308(3)
and 351(2) of the B.N.S. and Sections 67 and 67A of the
Information Technology Act.

3. As per the prosecution case, the informant has
alleged that he received a call and certain filthy and obscene
messages and videos from a certain mobile number. It has
further been alleged that the caller had been threatening the
informant to make the said video and obscene messages viral if
the money is not paid to him.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case only because he was an accused in Rohtas (Cyber) P.S. Case No. 47 of 2025. It has next been submitted that the petitioner has been implicated in this case only on the basis of confessional statement of the petitioner himself. It has further been submitted that the petitioner is on bail in the aforesaid Rohtas (Cyber) P.S. Case No. 47 of 2025. Learned counsel has further submitted that no such recovery of incriminating article has been made from the conscious possession of the petitioner and admittedly the number, which has been stated by the informant in the F.I.R., belonged to one Ranjan Kumari, District- Samastipur and the petitioner has no connection with her. It has lastly been submitted that the petitioner has one criminal antecedent in which he is on bail and he is in custody since 16.09.2025.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Rohtas at Sasaram in connection with Rohtas (Cyber) P.S. Case No. 35 of 2025, subject to the



following terms and conditions :-

(i) One of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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