

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87056 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- ANDHRATHARHI District- Madhubani

1. Indu Kumar Thakur @ Indrajeet Thakur @ Indrajeet Sarma Son of Ramchandra Sharma @ Ram Chandra Thakur R/o Village - Duborbona, P.S.- Lalmaniya, District - Madhubani.
2. Sonali Sah @ Sonali Kumari D/o Vijay Sah R/o Village - Khutauna, P.S. - Khutauna, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar Bharti, Advocate
For the Opposite Party/s	:	Mr.Aditya Narayan Singh.1, APP
For the informant	:	

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-01-2026 Heard Mr. Jitendra Kumar Bharti, learned counsel appearing on behalf of the petitioners and Mr. Aditya Narayan Singh.1, learned APP for the State and Mr. Pramod Kumar Yadav, learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Andhara Thari P.S. Case No. 60 of 2025 registered for the offence(s) punishable under Sections 66D,66E of the IT Act.

3. As per the allegation made in the FIR, the private photographs which were posted by the informant on her Instagram account were made viral by the petitioners and other co-accused persons named in the FIR.

4. Mr. Jitendra Kumar Bharti, learned counsel



appearing on behalf of the petitioners, who is without brief, proceeded to argue that informant is responsible for her own act, as she has put her photographs on Instagram account, knowingly that all the followers will have access to the same and as such, no case is made out under Sections 66(D) and 66(E) of the IT Act against the petitioners.

5. Mr. Pramod Kumar Yadav, learned counsel, has tendered his appearance on behalf of the informant and submitted that the informant has posted some private photographs on her Instagram account, which were made viral on social media by the petitioners after capturing those pictures, attracting offence under Sections 66(D) and 66(E) of the I.T. Act.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

7. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR, as well as, the observation made by the learned District Court in the impugned order dated 25.09.2025, I find that informant herself put certain objectionable photographs on her Instagram account, knowingly that it will be watched by her followers and as such, the petitioners cannot be held responsible



for the same. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

8. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Jhanjharpur, District, Madhubani / Concerned Court in connection with Andhara Thari P.S. Case No. 60 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

9. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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

