

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90345 of 2025

Arising Out of PS. Case No.-93 Year-2025 Thana- Vasudevpur District- Munger

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1. Sweta Devi W/o Badal Kumar Resident of Mohalla- Mangal Bazar, P.S.- Basudeopur, District- Munger
 2. Badal Kumar S/o Late Tarkeshwar Mandal Resident of Mohalla- Mangal Bazar, P.S.- Basudeopur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 14-05-2026 Heard learned counsel for the petitioners and Mr. Chandra Bhushan Prasad, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 77 and 3(5) of the BNS as well as Section 67(A) of the I.T. Act.

3. The Investigating Officer of the case, in compliance of the order dated 11.05.2026, is present in the Court.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners have antecedent of two cases and petitioner no. 1 is a woman and the cases were instituted by the informant. It is further submitted that informant alleges that a divorce case is pending in between her and her husband, hence, she is staying at her parental home, hence, her elder sister



(petitioner no. 1) and brother-in-law (petitioner no. 2) videographed her while taking bath with an intent to oust her from her parental home.

5. Learned counsel appearing on behalf of the petitioners submits that petitioner no. 1 is the own sister of the informant and petitioner no. 2 is the husband of petitioner no. 1. It is further submitted that a dispute relating to property has ensued in between the informant and petitioner no. 1 for which Partition Suit No. 07 of 2022 is pending in between the parties in the Court of learned Sub-Judge-1, Munger. It is next submitted that informant is also contesting a divorce case with her husband and, thus, has tried to falsely allege against the petitioners that her inappropriate photograph was clicked with an intent to coerce them into submission so that petitioner no. 1 does not pursue with the partition suit.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that by order dated 11.05.2026, the Investigating Officer of the case was directed to remain physically present with copy of case diary to assist the Court on the issue that as to whether any inappropriate photograph of the informant was made viral and also on the issue that as to whether inappropriate photograph of the



informant was sent on the mobile of her husband.

7. Learned A.P.P. for the State, based on instruction, submits that during the course of investigation, it transpired that petitioner no. 2 herein clicked and made inappropriate video of the informant and sent the same on the mobile number of the husband of the informant, namely, Jitendra who in-turn sent the said inappropriate photograph and video to the informant, as stands recorded at para 32 and 33 of the case diary.

8. It is further submitted that it absolutely does not stand to reason that when the informant is contesting a divorce case with her husband why the petitioner no. 2 sent her inappropriate picture to her husband.

9. Learned A.P.P. fairly submits that the inappropriate picture was not made viral and role of petitioner no. 1 in the occurrence has not transpired.

10. After hearing the learned counsel for the parties, let the petitioner no. 1, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with



Basudeopur P.S. Case No. 93 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

11. However, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner no. 2, above-named, in connection with the aforesaid case. Hence, his prayer for anticipatory bail is rejected.

12. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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