

**IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1st-CUM- SPECIAL  
JUDGE (SC/ST, NDPS & CHILDREN ACT)  
AURANGABAD (BIHAR)**

**BAIL APPLICATION NO. 286 OF 2026**

**TANDWA PS CASE NO: 10/2026**

**Md. Arif Raza, aged about 20 years, S/o-Md. Sauyab Raza @ Suab Akhtar, R/o Village-Sirajpur, PS-Nabinagar District-Aurangabad(Bihar)**

**....Petitioner**

**Versus**

**State of Bihar**

**....Prosecution**

**Appearance:**

Learned Counsel for the accused-petitioner  
Learned Counsel for the State

- Md. Merajussalam, Ld. Advocate  
- Shri Ram Naresh Prasad, Ld. APP

**Order with signature of the Court**

**Dated**  
**25.03.2026**

The bail preferred on behalf of the accused-petitioner namely **Md. Arif Raza** who has been in judicial custody since 07.02.2026 in connection with Obra PS Case No. 10/2026 under Section 74,75(2),77,108,308(2),352 of the Bhartiya Nyaya Sanhita (BNS), 2023, and Section 67(A),67(B),66(D),66(E) of the Information and Technology Amendment Act, 2000. The CD was called for and the same has been received. After furnishing the copy of the bail petition to the Additional Public Prosecutor and this bail petition pressed today.

The learned counsel for the petitioner pressing the bail application, reciting the contents of the F.I.R. has tried to show that the accused-petitioner is innocent and has committed no offence. No any bail application has earlier been filed on behalf of the petitioner either before this court or the Hon'ble High Court, Patna. He further submitted that informant's daughter is major both have right to pass their lives on their own will so all sections are not applicable. Section 74 BNS is concern no force has been used with intent to outrage her modesty because they are connected only on Instagram so there is no question arises her to use of force to outrage the modesty so this section is not applicable. Section 75(2) BNS is concern same is also not applicable on perusal of FIR it is clear that victim is major and she was in contact of the petitioner with her own will. Section 77 BNS is concern same is bailable. Section 108 BNS is concern same is not applicable because if a person put any person in fear of injury and death and on that fear any thing is delivered then this section will apply but no such seen looking after perusal of FIR. Section 308(2) BNS is concern same is also not applicable because no abetment has been committed by the petitioner and daughter has been committed by the petition and daughter of the informant is alive if he would be dead then this section would be applicable. Section 352 BNS is also bailable. Section 67(A),67(B),66(D) of the IT Act are not applicable because the petitioner has not made viral the video this section has only been added to make the case non-bailable in fact meaning of viral is available for public. From perusal of FIR that both were in love and when the informant got knowledge about this the false case been field against the petitioner. The petitioner has been languishing in judicial custody since 07.02.2026.

**IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1st-CUM- SPECIAL  
JUDGE (SC/ST, NDPS & CHILDREN ACT)  
AURANGABAD (BIHAR)**

**BAIL APPLICATION NO. 286 OF 2026**

**TANDWA PS CASE NO: 10/2026**

**Cont....  
25.03.2026**

The petitioner has no criminal history. The learned counsel for the accused-petitioner has submitted that he is ready to furnish bail bonds of reasonable amount to the satisfaction of this court. Hence, he prayed to enlarge the petitioner on bail.

Per-contra, Ld. Spl, PP appeared on behalf of the State and submitted that the petitioner has committed serious offence with a woman and prayed to reject the bail petition.

Perused the case record as well as case diary and perusal of case diary, it transpires that the petitioner is named in FIR. The allegation against the petitioner is that the daughter of informant Minu Kumar, who made chatting with the petitioner on Instagram during that period Arif(petitioner) took WhatsApp number of his daughter and started blackmailing to establish physical contact failing on, threatened to make the video viral and also made demand of Rs. 5 lakh and after that he started to make the video viral. During on 07.0.2026, at about 11 O'clock, he loitered 4 to 5 rounds of the informant's house, in the meantime, informant caught him and sustained injury. Perusal of the case diary para- 2,4,6,7 and 15 goes to show that in the course of investigation, statement of informant and the statement of the witnesses have been recorded by the I.O. of this case under section-180 BNSS. In their respective statements, the witnesses have supported the allegations of prosecution case and elaborated the sequence of events. Further, on perusal of para-33 of the case diary, the supervision report finds place, in which the case was found true against the accused-petitioner. Nowadays, it has become a prevalent trend entrapping a girl in a web of romance on Instagram or WhatsApp to engage in sexual relations with her and extort money. The materials available on the judicial record reflects the involvement of the accused-petitioner and mala fide intention to molest the outrage of modesty of informant's daughter. The allegation against the accused-petitioner is heinous, disgusting, shameful and committing a crime of social menace. The investigation is at nascent stage.

So, Considering the facts and circumstances of this case and serious nature of allegations as made out against the accused-petitioner, I am not inclined to enlarge the accused-petitioner namely **Md. Arif Raza** on bail. Therefore, this bail petition is hereby stand **rejected**. However, the accused-petitioner may renew his prayer of bail after framing of the charge. The bail petition is accordingly disposed of.

**Dictated and corrected by me.**

(Vishwa Vibhuti Gupta)  
District & Additional Sessions Judge-1st-cum-  
Special Judge (SC/ST, NDPS & Children Act)  
Aurangabad, Bihar  
Dated: 25.03.2026

**IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1st-CUM- SPECIAL  
JUDGE (SC/ST, NDPS & CHILDREN ACT)  
AURANGABAD (BIHAR)**

**BAIL APPLICATION NO. 286 OF 2026**

**TANDWA PS CASE NO: 10/2026**


**IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1st-CUM- SPECIAL  
JUDGE (SC/ST, NDPS & CHILDREN ACT)  
AURANGABAD (BIHAR)**

**BAIL APPLICATION NO. 286 OF 2026**

**TANDWA PS CASE NO: 10/2026**