

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41778 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Rahul Kumar, Son of Dr. Ranjeet Kumar, residents of village – Karihon,
Post Bishunpura, Police Station – Mahua, District – Vaishali. Wrongly
mentioned in the FIR as R/o Rajat Vihar, Halmati Vila, house of M.L.
Yadav, Hosangabad, (M.P.)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj

For the Opposite Party/s : Mr. Kalayan Shankar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 09-10-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 294,
354D, 509/34 of the Indian Penal Code and 67/67(A) of the
Information Technology Act.

The prosecution case is that on the Face
Book (Social Media) account of the informant some obscene
materials were uploaded by one Sweta Agrawal. The informant
made call on the alleged mobile number of Sweta Agrawal, but
it was found that fake account in the name of Sweta Agrawal
was created by the petitioner.

It is submitted by learned counsel for the petitioner that whole accusation is based on suspicion. There is nothing on record to suggest that fake account was created by the petitioner or the petitioner uploaded the obscene materials on the Face Book account of the informant. Moreover, the petitioner is a student of Engineering having no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Shikarpur P.S. Case No. 22 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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