

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44739 of 2016

Arising Out of PS.Case No. -88 Year- 2016 Thana -MAKER District- SARAN

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1. Mustafa Miya Son of Allaudin
2. Saim @ Md. Salim son of Md. Habib All resident of Village Balaha
Baligaon, P.S.- Parsa District- Chapra at Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 29-11-2016 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 153A, 295A, 120B/34 of the Indian Penal Code and Sections 67, 67A of Information Technology Act, 2008.

Petitioners are named in the first information report but in course of investigation, the witnesses stated that petitioners had also helped the main accused in sending obscene photographs of Hindu Goddess on the mobile set of other accused. Moreover, para-75 of the case diary goes to show that confessional statement of co-accused, Asu @ Ashutosh Kumar Rai was recorded and the

aforesaid co-accused, Asu @ Ashutosh Kumar Rai stated that they had formed a group which used to send messages through What's App to the group members and the photographs of the present case had been sent by co-accused, Md. Mubarak and Seraj.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of period of detention of the petitioners in jail custody, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Divya Shekhar, Judicial Magistrate 1st Class, Saran at Chapra in connection with Maker P.S. Case No. 88 of 2016.

(Hemant Kumar Srivastava, J)

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