

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30734 of 2017**

Arising Out of PS.Case No. -209 Year- 2017 Thana -BAGHA District-  
WESTCHAMPARAN(BETTIAH)

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1. Deepak Gond S/o Gamha Gond @ Harichandra Gond, resident of  
Village- Kumhiya Bisunpurwa, P.S.- Bagaha, District- West Champaran  
(Bihar).

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Suresh Prasad Sharma

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      28-07-2017              The petitioner seeks regular bail in connection with  
  
Bagaha P.S. Case No. 209 of 2017, registered for offences  
  
punishable under Sections 292, 354(C), 354(B)(II) Indian Penal  
  
Code and Section 14 of POCSO Act.

Allegation against the petitioner that he clicked the  
  
photograph of the daughter of the informant with a view to create  
  
a nude photo by morphing the same, which was recovered from  
  
the mobile of the petitioner.

It has been submitted by learned counsel for the  
  
petitioner that the said mobile has not been recovered from the  
  
petitioner rather it has been recovered from one co-accused and  
  
co-accused has named this petitioner. Further petitioner has been



in judicial custody since two weeks.

Learned counsel for the State opposed the prayer for bail on the ground that the allegation is against the petitioner and materials collected during the course of investigation also shows that the mobile belongs to the petitioner.

Having heard both sides, considering the fact and circumstances of the case and the nature of allegation, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected.

However, the petitioner may renew his prayer for bail after framing of charge in this case.

**(Vinod Kumar Sinha, J)**

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