

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42069 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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Ajay Kumar son of Krishna Sah, Resident of Village & P.O.- Chuhari, P.S.-
Chanpatia, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate

For the State : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioner, learned counsel
for the informant and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Chanpatia P.S. Case No.98 of 2017 registered under Sections 67A
and 67B of the Information Technology Act (for short 'I.T.Act').

The allegation against the petitioner is that he has
circulated the video of the informant's daughter dancing with one
Sarwan Kumar on whatsapp.

It is submitted by the learned counsel for the petitioner
that there is no allegation in the first information report that the
petitioner transmitted any obscene material in electronic form or
circulated containing sexual explicit act etc in electronic form. It is
submitted that even on admitted prosecution case the offence



under Sections 67-A and 68-A of the I.T.Act would not be attracted.

Learned counsel for the informant vehemently opposed the application for grant of pre-arrest bail to the petitioner. He submitted that the petitioner is an administrator of a whatsapp group on which video of the daughter of the informant dancing with one Sarwan Kumar was circulated. He submitted that such an offence would certainly attract ingredients of the offence punishable under Sections 67-A and 67-B of the I.T.Act.

Be that as it may, taking into consideration the facts and circumstances of the case. The petitioner, namely, Ajay Kumar, who is reported to be a young boy having clean antecedent, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Bettiah, West Champaran in connection with Chanpatia P.S. Case No.98 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks.

(Ashwani Kumar Singh, J)

Md.S./-

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