

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2683 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -AKHODHIGOLA District- SASARAM
(ROHTAS)

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Rahul Kumar @ Rahul Paswan, son of Satya Narayan Paswan, resident of
village- Madhurampur, Near Kanya Vidyalaya, P.S. Akorhi Gola, District-
Rohtas. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Siddharth Harsh, Advocate

For the Opposite Party : Mr. Amit Kumar Rakesh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Akorhigola P.S. Case No. 89 of 2016, registered for the
offences punishable under Sections 387, 120(B) of the Indian
Penal Code and Section 66(A)(E), 70 of I.T. Act.

Allegedly, the petitioner provided information and
photographs of the informant's family members for uploading on
Internet and Bharat Kumar Soni upload the name and identity
including the photographs of informant's family on Internet.

Submission is of false implication and that Bharat
Kumar Soni is none else but was the son-in-law of the informant
and husband of Guria Soni, Guria Soni has filed Divorce Case No.
439 of 2013 against the Bharat Kumar Soni which has been
decreed and, as such, Bharat Kumar Soni was well known to the
family of informant being his son-in-law, providing photographs



by the petitioner to Bharat Kumar Soni appears not probable and reliable because Bharat Kumar Soni was himself having all the knowledge and having several photographs of the family of the informant. In F.I.R. it is not alleged that Bharat Kumar Soni is the son-in-law of the informant and after suppressing all these facts the F.I.R. has been lodged and, as such, the petitioner deserves sympathetic consideration. The judgment of Divorce Case is Annexure-2.

The learned A.P.P. opposes the prayer of pre-arrest bail and submits that the petitioner is named in the F.I.R.

In the facts and circumstances stated above, considering that Bharat Kumar Soni is none else but the divorced son-in-law of the informant which is evident from Annexure-2 and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 S.D.J.M., Dehri-on-Sone, District-Rohtas, in connection with Akorhigola P.S. Case No. 89 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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