

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51257 of 2016

Arising Out of PS.Case No. -177 Year- 2016 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Rahul Kumar, S/o Bhadhai Mahato, resident of village-Mahuawa, P.S.-
Chanpatia, District-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 10-01-2017

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks bail in Chanpatia P.S. Case
No.177 of 2016 instituted for the offence under Section(s) 67(a)
(b) of the I.T. Act and Section 14 of the POCSO Act.

It is alleged in the written report that one Vikash
Kumar told the informant on 10.09.2016 at 7 AM that Rahul
Kumar and Jhuna Sah have posted a naked photograph of her
daughter on the internet. The age of the informant's daughter is 17
years and she is very much depressed on account of such.

The victim girl, Priya Gupta, in her statement in para
5 of the case diary has stated that her face has been fixed in some
naked photograph for the purpose of blackmailing. The witness



Parmila Devi in para 4 and other witnesses in para 6, 10, 11 have stated that the aforesaid photograph has been sent on his mobile by the co-accused Jhuna Sah. The victim in her statement under Section 164 Cr. P. C., as mentioned in para 32 of the case diary, has stated that Jhuna Sah had sent the video on the mobile phone of Rahul (petitioner) and told him to make the same viral.

In this manner, the witnesses have stated in the case dairy that Jhunna Sah had prepared the photograph and sent the same on the mobile phone of this petitioner to make the same viral. There is no allegation of any specific overt act against the petitioner, who is in custody since 25.09.2016.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge, Bettiah, West Champaran, in connection with Chanpatia P.S. Case No.177 of 2016, subject to the condition that both the bailors will be the close relative of the petitioner.

(Sanjay Priya, J)

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