

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46797 of 2018

Arising Out of PS.Case No. -9 Year- 2018 Thana -MAHILA P.S. District- MUZAFFARPUR

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1. Rahul Kumar son of Upendra Sah resident of village - Kudhani, Police Station - Kudhani, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-08-2018 The petitioner is apprehending his arrest in connection with Muzaffarpur Mahila P.S. Case No. 09/2018, registered for offences punishable under Section 354(B) of the Indian Penal Code, Section 12 of the POCSO Act and Section 67(B) of the I.T. Act.

Allegation against the petitioner is of repeatedly misbehaving with the daughter of the informant and also taking obscene photograph of the daughter of the informant and making it viral.

Submission of learned counsel for the petitioner is that the petitioner has falsely been implicated in this case and the photographs were clicked as per the consent of both, the petitioner as well as the alleged victim girl. Petitioner and the girl



are the class fellows and further there is nothing to show that the petitioner has made any picture or video viral.

Learned counsel for the State opposed the prayer for bail.

Having heard both sides, in view of the allegation as stated above and considering the fact that the case is under POCSO Act, I am not inclined to grant privilege of anticipatory bail to the petitioner rather he should surrender and pray for regular bail before the Court below which would be considered on the merit of the case, if possible on the same day, without being prejudiced by order of this Court.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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