

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26122 of 2018

Arising Out of PS. Case No.-770 Year-2017 Thana- KHAGARIA District- Khagaria

Shivam Kumar S/o Pankaj Kumar Patel @ Pankaj Patel, R/o Vill.- Bhadas
North, Ward No. 6, P.S.- Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Khagaria (Muffassil)
P.S. Case No. 770 of 2017 instituted for the offence under
Section(s) 385 of the Indian Penal Code and Sections 66(D)
and 67 of IT Act and Section 18 of POCSO Act.

The allegation in the written report is that the petitioner
prepared Facebook profile in the name of daughter of the
informant and uploaded her photographs in the profile which
was seen by various villagers and also prepared some
objectionable video.

Learned counsel for the petitioner submits that matter has
now been compromised. The compromise petition filed in the
Court below has been annexed as Annexure-2. It is mentioned



in compromise petition that under wrong impression the informant has filed this case.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Khagaria (Muffassil) P.S. Case No. 770 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 1st, Khagaria, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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