

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40734 of 2018

Arising Out of PS. Case No.-41 Year-2018 Thana- CHANPATIA District- West Champaran

Uttam Chaubey @ Uttam Kumar Chaubey, S/o Sachchidanand Chaubey, @ Sochitanand Chaubey, Resident of Village- Chargaha, Sabeya Khurd, P.S.- Sirisiya O.P. District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends his arrest in Chanpatiya (Sirisiya O.P.) P. S. case no. 41 of 2018 instituted for the offence under Section(s)354A, 354B, 354D, 504,506, 465 of the Indian Penal Code and Section 66C, 66D, 66e and 67 of the I.T. Act.

Learned counsel for the petitioner has submitted that just prior to lodging of the F.I.R. the informant chatted with the petitioner by mobile no. 9115170778. She tried to make the petitioner ready to marry her and when her proposal was not accepted by the petitioner, instant case has been lodged on 29.1.2018 . Photocopy of screen-shot of the chatting done on 29.1.2018 is annexed as



Annexure-2 to bail petition. It is further pointed out that petitioner is a married lady.

From the written report it appears that instant case has been filed on 1.2.2018 levelling allegation that on 31.1.2018 petitioner prepared a fake face book Id in the name of the informant and uploaded her naked photograph/video over the same and sent it to the husband and Dewar of the informant.

In such manner, from Annexure-2 as well as the allegation made in the written report itself, it appears that informant and petitioner were knowing to each other from before.

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 Chanpatiya (Sirisiya O.P.) P. S. case no. 41 of 2018, 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 CJM, Bettiah, West Champaran, 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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