

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54904 of 2018

Arising Out of PS. Case No.-12 Year-2018 Thana- MAHILA PS District- Darbhanga

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1. Gopal Kumar @ Gopal Sah, S/o Ram Binay Sah,
 2. Parati Kumari D/o Binod Sah, Both R/o Vill.- Deokuli Chatti,
P.S.- Bahadurpur (Sonki O.P.), District- Darbhanga (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 11-12-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Darbhanga Mahila P.S. Case No. 12 of 2018 registered under Sections 376, 504 and 506/34 of the Indian Penal Code, Sections 4/6 of the Prevention of Child for Sexual Offence Act and Sections 67, 67(A) and 67(B) of the Information and Technology Act.

The accusation is that minor daughter of the informant used to visit at the house of her friend Parvati Kumari (petitioner no. 2). In that course, Raju Sah, brother of petitioner no. 2, came in touch with the daughter of the informant and got prepared objectionable photographs and on that very basis, he started to develop the physical relation with the daughter of the informant. When Raju Sah regularly developed physical relation with the daughter of informant then she



made protest, on which, Raju Sah loaded the objectionable photographs on Facebook and What'sapp. When complaint was made to the family member of Raju Sah then Raju Sah came with petitioner no. 1 at the house of informant and gave threatening.

Learned counsel for the petitioners submits that petitioner no. 1 Gopal Kumar being friend of son of the informant used to visit at the house of the informant but due to ulterior motive, petitioner no. 1 has falsely been implicated in this case. Similarly, practitioner no. 2 being the sister of co-accused, Raju Sah, has falsely been implicated in this case.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Ist Additional Sessions Judge-cum-Special Judge (POCSO Act), Darbhanga, in connection with Darbhanga Mahila P.S. Case No. 12 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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