

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20180 of 2019

Arising Out of PS. Case No.-358 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

1. Govind Raj @ Mohit Singh Son of Kameshwar Singh, Resident of Village - Rampur Daud, PS- Kuchaikot, Distt - Gopalganj.
2. Ranu Singh Son of Late Rampujan Singh @ Khublal Singh, Resident of Village - Rampur Daud, PS- Kuchaikot, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-04-2019 Heard both sides.

The petitioners apprehend their arrest in Kuchaikot P.S. Case No.358 of 2018 registered under Sections 354(a), 354(d), 501, 509 and 34 of the Indian Penal Code and under Section 66(c) of the I.T. Act.

The informant alleged that she used to go to the house of her friend Deepa Singh. During visit to the house of Deepa Singh, the informant got good relation but Deepa Singh with a conspiracy gave some intoxicated *sharbat* to the informant and brother of Deepa Singh took some obscene photographs of the informant and started sending obscene message and photographs of the informant to her father and different persons.



When the marriage of the informant was settled, the accused sent message to the bridegroom and his family members. Consequently, the marriage negotiation was broken. It is further alleged that Ranu Singh (petitioner no.2) also threatened her that if she marries, she and her father would be killed.

Learned counsel for the petitioners submits that the offences as alleged under Sections 354(a) and 354(d) of the IPC are bailable and no offence under Section 66 (c) of the I.T. Act is made out. It is further submitted that petitioner no.1 is an employed engineer and he is working in Kerala. The informant wanted to marry with petitioner no.1 but after marriage of petitioner no.1, the informant filed this case making false allegation. It is further submitted that there is no allegation of taking any photographs or sending obscene message to anyone against petitioner no.2. The petitioners have got no manner of concern.

From perusal of record, it appears that the informant made allegation against Govind Raj @ Mohit Singh (petitioner no.1) that when the informant was on visiting term to his house as his sister Deepa Singh was her friend. Deepa Singh gave her intoxicated *sharbat* and Mohit Singh (petitioner no.1) took obscene photographs of the informant. There is allegation that



petitioner no.1 sent obscene message and photographs of the informant to different persons including her father and would be bridegroom resulting in breakage of settled marriage of the informant. Petitioner no.2 is alleged to have threatened the informant that if she marries with other, she and her father would be killed.

Having considered the facts and the nature of allegations made against the petitioners, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender before the court below, the learned court below shall consider the prayer of regular bail of the petitioners on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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