

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41833 of 2019

Arising Out of PS. Case No.-113 Year-2019 Thana- RAFIGANJ District- Aurangabad

SANOJ KUMAR Son of Bindeshwari Prasad Resident of Mohalla - Abdulpur
Rafiganj, P.S.- Rafiganj, Distt - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46055 of 2019

Arising Out of PS. Case No.-113 Year-2019 Thana- RAFIGANJ District- Aurangabad

SATISH KUMAR Son of Ram Lakhan Singh Resident of Mohalla - Lohar
Gali, Maharajganj, Rafigang, P.S.- Rafiganj, Distt - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41833 of 2019)

For the Petitioner/s : Mr.Lakshmi Kant Sharma

For the Opposite Party/s : Mr.Lalan Kumar

(In CRIMINAL MISCELLANEOUS No. 46055 of 2019)

For the Petitioner/s : Mr.Lal Bahadur Singh

For the Opposite Party/s : Mr.Bharat Bhushan (App156)

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 19-09-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners of these two cases apprehend their
arrest for the offences alleged under Section 366/34 of the IPC
and latter on Section 354A (iii), 494 and 120(B) of the IPC and
Sections 67, 67(A), 67(B) and 66(E) of IT Act were added



subsequently, registered in connection with Rafiganj P.S. Case No. 113 of 2019.

3. It is submitted that the petitioners have been falsely implicated, as is evident from the deposition of the informant's elder daughter recorded under Section 164 Cr. P.C. in which she has stated that she had married Ashish Kumar which was not being accepted by the informant. She has further stated that her father (informant) has been making allegation against her and her husband Ashish Kumar with regard to an inappropriate video of her younger sister being made viral. The petitioners of both the cases have been implicated merely because they happen to be friends of co-accused Ashish Kumar.

4. Learned APP, on the other hand, opposes the petitions, submitting that the elder daughter of the informant herself is an accused. He invites reference to the deposition of younger daughter of the informant recorded under Section 164 Cr. P.C. in which she has named the petitioners of these two cases and also one Sonu. It is stated that the said three persons used to talk to her elder sister. One day they gave her cold drink after which she did not know what happened and how her video was made. The next day, the aforesaid three persons showed her inappropriate video and threatened to make the same viral. Her



elder sister ran away from home when the video became viral.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners of these two cases. The anticipatory bail petitions stand dismissed.

6. If the petitioners surrender and seek regular bail before the learned court below, the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

HR/-

U		T	
---	--	---	--

