

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55029 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- MAKER District- Saran

=====

BIRENDRA SINGH @ BIRENDRA KUMAR SINGH Son of Late Maujil
Lal Singh Resident of Village - West Thahara, P.S. - Maker, District - Saran
(Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Singh
For the Opposite Party/s	:	Mr.Pawan Kumar Chaurasia
For the informant	:	Mr. Nalin Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-09-2019 Heard learned Counsel for the petitioner, learned

Counsel for the informant and learned Additional Public

Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Maker Police Station Case No. 102 of 2019, disclosing
offences under Sections 292, 293, 294, 500, 506, 509 of the
Indian Penal Code and Section 67 (A) of the I. T.Act.

The allegation against the petitioner, as per the First
Information Report, is that the son of the petitioner, Chandra
Bhushan Kumar, entered into the house of the informant and
took her photograph in the semi-nude condition and made it
viral in the social media. It has further been alleged that when
the father of the informant went to the father of co-accused



Chandra Bhushan Kumar, then the petitioner threatened the father of the informant with dire consequences.

Learned Counsel for the petitioner submits that the petitioner has unnecessarily been dragged in this case inasmuch as from perusal of the First Information Report, it would be evident that the entire allegation of taking photograph is upon co-accused Chandra Bhushan Kumar, who happens to be the son of the petitioner and there is no specific allegation against the petitioner regarding any illegal act having been committed by him.

After having heard learned Counsel for the parties and taking into consideration the fact that there is no specific allegation of any overt act against the petitioner and the allegation of taking photograph of the informant is upon the son of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 12th Additional Chief Judicial Magistrate, Saran, at Chapra, in connection with Maker Police Station Case



No. 102 of 2019, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall
present himself before the police/Court, as the case may be, as
and when required and in the event of failure on his part to
appear before the Court on two consecutive occasions, his bail
bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

U	✓	T	✓
---	---	---	---

