

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 54020 of 2019**

Arising Out of PS Case No.-383 Year-2018 Thana- GAYA KOTWALI District- Gaya

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Suraj Kumar Singh, aged about 22 years, Male, Son of Nagendra Kumar Singh, Resident of Mohalla - Ashok Nagar, P.S.- Rampur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                                              |
|----------------------|---|--------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Syed Asgher Najmi and<br>Ms. Shafaquat Jabeen, Advocates |
| For the State        | : | Mr. Md. Arif, APP                                            |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 20-11-2019**

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has moved the Court seeking pre-arrest bail in connection with Gaya Kotwali PS Case No. 383 of 2018 dated 08.08.2018 instituted under Sections 354, 354(d) and 506 of the Indian Penal Code and 67 of the IT Act.

3. The allegation against the petitioner is that under intoxication, he has taken objectionable photograph of the daughter of the informant and posted it on social media and when the informant complained to the uncle of the petitioner, he was assured that it would not happen again but thereafter, a fake Facebook account was created of the daughter of the petitioner.

4. Learned counsel for the petitioner submitted that the allegation is totally false. It was submitted that if in the past, the petitioner had committed any offence, there must have been



complaint, which has not been made, and further that no details have been given with regard to the Facebook account and how it is connected to the petitioner, as there is no number mentioned.

5. Learned APP submitted that such allegation is most believable and the reason why initially no complaint was made to the authorities was that no father would want his daughter to be maligned in society, especially on social media and, thus, rightly he first went to the uncle of the petitioner and was assured that such thing would not happen and still when a fake Facebook account was created, he was forced to file an FIR, which cannot be said to be unfounded or false.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to allow the prayer for pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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