

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55790 of 2019

Arising Out of PS. Case No.-356 Year-2018 Thana- BARAUNI District- Begusarai

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1. ABHISHEK @ABHISHEK KUMAR SINGH Son of Ramanuj Singh Resident of Village - Amarpur Begusarai, P.S.- Barauni, District - Begusarai.
 2. Nandan Singh @ Nand Kumar Singh Son of Ramanuj Singh Resident of Village - Amarpur Begusarai, P.S.- Barauni, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Barauni (Garhara) P.S. Case NO. 356 of 2018, disclosing offences under Sections 384,385,354©,506 of the Indian Penal Code and Section 66A of the Information and Technology Act.

There is allegation in the First Information Report against named accused persons that under threat and coercion, they made informant's daughter to pay them some cash amount. It is also alleged that in order to malign the image of the informant's daughter, they uploaded her objectionable photographs on social media.

Learned counsel appearing on behalf of the petitioners has submitted that Section 66A of the



Information and Technology Act has been held to be *ultra vires* by the Supreme Court. He further submits that the allegations are general in nature and not specific against the petitioners, who are full brothers.

Considering the facts and circumstances, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand)each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in Barauni (Garhara) P.S. Case No. 356 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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