

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67167 of 2019**

Arising Out of PS. Case No.-130 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

Sarvesh Rai @ Sarvesh Kumar Rai Son of Ganga Sagar Rai @ Ganga Sagar Singh Resident of Village - Sherpur, P.S.- Bhawarkole, District- Ghazipur (U.P.). At present Kadopur, Ramnagar Varanasi, House No. 4 / 1327, P.S.- Ramnagar, District- Varanasi (U.P.)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashwini Kumar Rai, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**

ORAL ORDER

5      27-11-2019      Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in a case registered for the offence under sections 384 and 509 of the Indian Penal Code and section 66(c) and 66(d) of the I.T. Act.

As per the allegation in the FIR, the petitioner who happens to be the brother-in-law of the cousin sister of the informant had made a fake account of the informant on the Facebook and was pressurizing her for marriage and was threatening that he would upload the inappropriate photographs. Further, the allegation is of demand of Rs. 45,000/-.



It is submitted by learned counsel for the petitioner that the allegation in the FIR do not narrate the true story which would be evident from the print out of the interaction between the informant and the petitioner which has been brought on record as Annexure 2 to the application. It is further submitted that no evidence in support of the allegation has been produced by the informant before the police.

It is submitted by learned APP for the State that the allegations made in the FIR have been supported in course of statement of the witness under section 161 Cr.P.C. However, there is no material in the case diary with respect to the other allegations of uploading inappropriate photographs.

Having heard learned counsel for the parties and taking into consideration the facts and circumstance of the case, the court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the court below within a period of six weeks from today in connection with Buxar (M) P.S. Case No. 130 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar subject to the conditions as laid down in section 438 (2)



of Criminal Procedure Code.

**(Partha Sarthy, J)**

Prakash/-

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