

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5147 of 2019**

**In
CRIMINAL MISCELLANEOUS No.68304 of 2019**

Arising Out of PS. Case No.-198 Year-2019 Thana- MIRGANJ District- Gopalganj

RISHABH KUMAR BAITHA Son of Late Yogendra Baitha Resident of
Village - Bhawahi Tola, P.S. - Phulwariya, District - Gopalganj.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shailendra Kumar

For the Respondent/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 10-12-2019 The appellant seeks regular bail in connection with

Mirganj P.S. Case No. 198 of 2019, registered for offences

punishable under Sections 341, 323, 506, 354, 504/34 of the

Indian Penal Code and Section 67 of the I.T. Act and Section

3(2)(va) SC/ST (Prevention of Atrocities) Act.

As per F.I.R., there is allegation against the appellant

and other accused persons is of taking obscene photograph of

the informant and making it viral on facebook.

It has been submitted on behalf of the appellant that

allegation of taking photograph and making it viral is against

other accused person and mobile of other person was used and

petitioner is named in the F.I.R. and he himself belongs to

schedule caste community. He has been in judicial custody since



12.08.2019 and other accused persons of this case has already been enlarged on bail by a coordinate Bench of this Court vide order dated 30.09.2019 passed in Criminal Appeal (SJ) No. 4118 of 2019.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellant above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge -I, Gopalganj, in connection with Mirganj P.S. Case No. 198 of 2019.

This appeal is allowed and impugned order dated 28.08.2019 passed by learned Additional District & Sessions Judge -I, Gopalganj, with respect to the appellant is set aside.

(Vinod Kumar Sinha, J)

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