

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24242 of 2020

Arising Out of PS. Case No.-261 Year-2020 Thana- BIHTA District- Patna

Vikash Vishwakarma @ Vikash Kumar Son of Jagdish Vishwakarma @
Jagdish Vishwakarma Resident of Village- Mohanpur (Doghra) Lewara,
Police Station- Bihta and District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.S. Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Bihta P.S. Case No. 261
of 2020, registered for the offence punishable under Section 290
of the Indian Penal Code, Section 72 of the Information &
Technology Act and Section 3 of the Indian Official Secret Act,
1923.

As per the prosecution case, petitioner is alleged to
have uploaded two videos on YouTube containing details of Air-
Force technical area, runway, Radar and Construction sites etc.,
which is restricted area, and taking photo and video of the
restricted area is serious offence.

It is submitted on behalf of petitioner that house of the
petitioner is just situated beside the boundary wall of Air Force



Station and on his roof, he made two videos of himself and uploaded on YouTube, but inadvertently, some portion of Air Force Station was captured in the said videos, which was not intentional. It is further submitted that petitioner is working as Executive Assistant at NIOS, Patna and has got clean antecedent and he is in custody since 04-04-2020.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate 1st, Danapur, Patna in connection with Bihta P.S. Case No. 261 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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