

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64018 of 2019

Arising Out of PS. Case No.-714 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

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RAVI KUMAR @ VIJYANAND PRASAD Son of Shambhu Prasad @
Shambhu Prasad Sah Resident of Village - Puraina, P.S.- Barharia, District-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Akbar Ali

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 15-06-2020 Heard Mr. Vivekanand Singh learned counsel
appearing for the petitioner as well as Mr. Akbar Ali Additional
Public Prosecutor for the State, through video conferencing.

Petitioner apprehends his arrest in connection with
Siwan Muffasil (Mahadeva O.P.) P.S. Case No. 714 of 2018
registered for the offences punishable under Sections 354(A),
354(D), 504, 506, 509 of the Indian Penal Code and Sections
67, 67(A), 67(B) of I.T. Act and Section 12 of the POCSO Act.

The specific allegation against the petitioner is that he
used to send obscene messages to informant's minor daughter
and also used to threaten to kill the informant's daughter.

Learned counsel appearing for the petitioner submits



that prior to filing of this case, the father of petitioner lodged a case under Section 364 of the I.P.C. against the informant and his other family members and in retaliation of that case the present case has been lodged against the petitioner.

The perusal of case diary goes to show that the prosecution witnesses supported the prosecution case and, furthermore, the I.O. collected the messages sent by the petitioner to victim girl, therefore, in my view it is not a fit case for grant of anticipatory bail. Accordingly, his anticipatory bail application stands rejected.

However, if the petitioner surrenders and seeks regular bail within six weeks from the date of receipt/production of a copy of this order to the concerned Court, the concerned Court shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

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