

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76524 of 2019

Arising Out of PS. Case No.-154 Year-2019 Thana- THARTHARI District- Nalanda

Vipin Kumar @ Rajiv Ranjan Kumar Son of Sukhdev Prasad Resident of
Village-Raypur Koyal Bigha, Police Station-Tharthari, District-Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 19-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State via video conferencing.

The petitioner has filed the present application for grant of pre-arrest bail in connection with Tharthari P.S. Case No. 154 of 2019 registered for the offence punishable under Sections 228A of the Indian Penal Code and Section 66E of the Information and Technology Act.

It is contended by the learned counsel for the petitioner that the only non-bailable Section alleged in the FIR against the petitioner is 66E of the Information and Technology Act. The petitioner used to operate WhatsApp from a mobile set which had dual SIM facility. He did not send any obscene video in the group intentionally. If any video clip disclosing identity of the victim would have been transmitted, the same was without the knowledge of the petitioner as he used to keep his mobile set



in his house as also at some other places where people may also have access to his mobile phone. The petitioner being a crime reporter cannot even dream to commit such offence. It is further contended that the petitioner has got roots in the society and if granted bail, he is not likely to abscond or tamper with the evidence.

Learned counsel for the State while vehemently opposing the grant for pre-arrest bail to the petitioner submitted that the excuse being taken by the petitioner cannot be believed. He has disclosed the identity of the victim of rape, which is a serious offence.

Regard being had to the submissions made above, in the event of arrest or surrender before the court below, the petitioner is directed to be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa, Nalanda in connection with Tharthari P.S. Case No. 154 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Ashwani Kumar Singh, J)

rohit/-

U		T	
---	--	---	--

