

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13892 of 2021

Arising Out of PS. Case No.-215 Year-2020 Thana- MOUZA HIDPUR District- Bhagalpur

Md. Imran Son of Sheru Kuraishi Resident of Village- Jamarya Ara, P.S.-
Chanandip, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 16-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in POCSO Case No. 112 of 2020, arising out of Mojahidpur P.S. Case No. 215 of 2020, registered for the offence under Sections 66(C)/67(A) of I.T. Act and Section 8 of the POCSO Act.

As per the prosecution case, this petitioner, on false promise of marriage, took nude photographs of informant and shared the same on facebook and mobile.

It is submitted on behalf of petitioner that there was love affairs between the petitioner and the victim (informant). It is further submitted that though, there is allegation of posting the photographs of informant on facebook, but during investigation, the same has not been supported by any scientific



or technical examination. It is further submitted that in fact, the informant had some intimate relationship with one Rakesh Kumar, which was being opposed by petitioner's brother-in-law and sister and only due to this reason, this false case has been instituted against this petitioner. The petitioner is in custody since 05.10.2020.

However, learned A.P.P. for the State vehemently opposed the bail petition and submitted that as per FIR, there is specific allegation against the petitioner, which has been supported by the victim (informant) in her statement recorded under Section 164 Cr.P.C. The age of the victim (informant) has been assessed as 14 years.

Considering the nature and gravity of the offence as well as statement of the victim recorded under Section 164 of the Cr.P.C., I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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