

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3673 of 2021

Arising Out of PS. Case No.-246 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

HARE KRISHNA SHARMA SON OF RAMA SHANKAR SHARMA
RESIDENT OF VILLAGE - BAKHARIYA, P.S. - ARA MUFASSIL,
DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-09-2021 Heard Mr. Uday Kumar, learned Advocate for the petitioner and Mr. Ram Priya Sharan Singh, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with POCSO Case No. 63 of 2020, arising out of Ara Mufassil P.S. Case No. 246 of 2020 dated 12.08.2020 instituted for the offences under Sections 354A, 354D, 506 and 34 of the Indian Penal Code, Section 12 of the POCSO Act and Section 67 of the I.T. Act.

The accusation in the FIR is that the daughter of the informant was always stalked by the petitioner and on one occasion, the elder brother of the petitioner entered his house and on the false charge of his daughter having enticed the petitioner, threatened her of



uploading her intimate pictures on social media. The pictures were made public on social media.

Hence the case.

Learned counsel for the petitioner has submitted that an absolutely false and concocted case has been lodged against the petitioner and his brother. There is no detail with respect to the taking of the indecent photographs of the daughter of the informant. When that photograph was taken and at whose instance has it been circulated is not known. It is only the guess work of the informant that the photographs of his daughter has been circulated in social media.

It has further been submitted on behalf of the petitioner that from the averments made in the FIR itself, it would appear that the objectionable photographs appear to have been uploaded from the ID of one Satish Kumar. The petitioner is in possession of a communication on social media by one Mintu Yadav with respect to the plan of the prosecution party in framing the petitioner and his brother.

Regard being had to such vague accusation in the FIR and taking into account that the petitioner is a student and that there is a delay in lodging of the FIR, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a



period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 6th Bhojpur, Ara in connection with POCSO Case No. 63 of 2020, arising out of Ara Mufassil P.S. Case No. 246 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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