

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8515 of 2021

Arising Out of PS. Case No.-48 Year-2019 Thana- MAHILA P.S District- Supaul

SHUBHAM JHA @ SATYANAND, Son of Meena Jha, R/o Village - Malhad,
P.S. - Supaul, District – Supaul ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner	:	Mr. Bindhyachal Singh, Sr. Adv. with Mr. Bal Krishna Mishra, Adv.
For the State	:	Mr. Murari Sharan Tiwari, APP
For the Informant	:	Mr. Arun Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2021 Heard Mr. Bindhyachal Singh, learned Senior Advocate for the petitioner, Mr. Arun Kumar Jha, learned counsel for the informant and Mr. Narendra Kumar Singh, learned Additional Public Prosecutor for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Supaul Mahila P.S. Case No. 48 of 2019 dated 03.09.2019 instituted for the offences under Sections 354(D), 509, 504 and 504 of the Indian Penal Code and 66(E) and 67 of the Information Technologies Act, 2000.

A long drawn story has been narrated in the FIR. The informant/prosecutrix appears to have come in contact with the petitioner on telephone. Later, the petitioner agreed to marry her and provide employment to her brothers and father at Haridwar. The father of the prosecutrix found the behaviour of the petitioner cringe-worthy after some time as he was making



his minor sons work hard unnecessarily. Later, the petitioner is said to have come to Supaul where he took some objectionable photographs of the prosecutrix which was threatened of being put on social media.

Learned counsel for the petitioner has submitted that the entire accusation appears to be absolutely false and motivated. The petitioner had provided help to the family of the prosecutrix by taking her father and her brothers to Haridwar so that they could get employment. He has further submitted that even today he is ready for solemnizing marriage with the informant but for some reason or the other, the informant now has decided not to continue with the relationship.

The learned counsel for the petitioner has submitted that all the offences under the IPC are bailable except the offences under Section 66(E) and 67 of the Information Technologies Act, 2000 which do not appear to have made out from the facts of this case.

The learned counsel for the informant however has submitted that the petitioner is in the habit of defrauding young woman with the same modus operandi.

The learned counsel for the petitioner however has submitted that there is no evidence to support such bald



allegation of the learned counsel for the informant.

Regard being had to the background facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bond in the sum of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Subdivisional Judicial Magistrate, Supaul, in connection with Supaul Mahila P.S. Case No. 48 of 2019 subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

Should the petitioner upload any picture of the informant on social media or threaten her or her family in any manner whatsoever, it will be open for the informant to proceed for cancellation of the anticipatory bail granted to the petitioner.

(Ashutosh Kumar, J)

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