

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22565 of 2022

Arising Out of PS. Case No.-14 Year-2021 Thana- MAIN P.S. District- Gaya

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ROHIT KUMAR TINKU S/o Arun Kumar Resident of Village- Pura Road,
Druga Press Gali, Dakhil Ganw, Wazirganj, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Dilbar Krishna, Adv.

For the Opposite Party/s : Mr.Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 228(A)/34 of the Indian Penal Code and 67(A) of I.T. Act.

The allegation against the petitioner is that he along with other accused persons have made viral the photograph, age, address and identity of a deceased rape victim.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. It is submitted that no offence u/s 67(A) of the IT Act is applicable against the petitioner as he only shared the WhatsApp post of another post which was earlier posted by co-accused Kamlesh Verma and is not the first person to share the same. It is further submitted that the petitioner is a social activist who only shared the said post with a view to put pressure upon the police to take action against the accused persons and had no any intention to disclose the identity of the victim. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Main Thana P.S. Case No.14 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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