

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36952 of 2021

Arising Out of PS. Case No.-179 Year-2019 Thana- MANER District- Patna

AKHILESH KUMAR @ CHOTU KUMAR @ CHOTU MAHTO Son of
Late Arun Mahto @ Bhola Mahto @ Botal Mahto Resident of Mohalla-
Newati, Ward No.1, Maner, Police Station- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341, 323, 354, 504, 506, 379 and 34 of the Indian Penal Code, sections 8 and 12 of the POCSO Act and section 54D of the I.T. Act.

As per the prosecution case, the allegation against the accused persons including the petitioner herein is of making and sharing an objectionable/vulgar video clip of the daughter of the informant.

It is submitted by learned counsel for the petitioner that from perusal of the F.I.R. itself, it would transpire that the allegation of making the alleged video clip is not against this



petitioner but against co-accused Rakesh Kumar. At best the allegation against this petitioner is of sharing the said clip. The petitioner is in custody since 18.1.2021 and has no criminal antecedent. The case of the petitioner stands on a similar footing to that of co-accused Santosh Mahto who has been enlarged on bail vide order dated 17.3.2020 (Annexure-2) passed in Cr. Misc. no.84485 of 2019.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner being in custody for more than 11 months and grant of bail to the above named co-accused, the Court directs the petitioner to be enlarged on bail in connection with Special Case no.70 of 2019 (arising out of Maner P.S. Case no.179 of 2019) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII-cum-Exclusive Special Court (POCSO Act), Patna.

(Partha Sarthy, J)

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