

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41122 of 2022

Arising Out of PS. Case No.-262 Year-2022 Thana- MUFFASIL District- West Champaran

BHIMBALI SAH @ SHIV KUMAR SON OF CHHOTELAL SAH R/O
VILLAGE- EAST KARGAHIA, P.S.- BETTIAH MUFFASIL, DISTRICT-
WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

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

Mr. Abhishek Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

Petitioner apprehends his arrest in connection with
Bettiah Muffasil P.S. Case No.262 of 2022, registered for the
offence punishable u/s 354(A), (1-ii) (D), 120(b), 506/34 IPC,
u/s 67 of I.T. Act and u/s 8 of POCSO Act.

Allegedly, the petitioner helped the accused in making the
objectionable photograph of the informant's daughter to be
viral. They also pressurize the informant to marry informant's
daughter with accused.

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 due to enmity. It is further submitted that the allegation of taking picture having persuaded the informant's daughter is against co-accused Vivek Kumar and not against the petitioner. The informant wrongly claims the petitioner to be the uncle of the co-accused. There is no electronic proof to show the petitioner's complicity in the alleged offence of making the photograph viral. There is no specific overt act against the petitioner. He is only villager not the uncle of the co-accused Vivek. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, since the victim is minor, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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