

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7597 of 2021

Arising Out of PS. Case No.-58 Year-2020 Thana- THAKRAHA District- West Champaran

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PRADEEP KUMAR GUPTA @ PRADEEP GUPTA Son of Bhajju Gupta
Resident of Village - Bahualpatti, Police Station - Thakraha, District - West
Champaran at Present Resident of Palamur Bagiya Gawn (Gujrat)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-02-2022 Due to the third wave of COVID-19 Pandemic, the

matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in connection with
Thakaraha P.S. case No.58 of 2020 registered under Sections
354(C), 499, 504 of the Indian Penal Code and Sections 67,
67(A) of the I.T. Act, pending in the court of Shri P.K. Sharma,



learned Judicial Magistrate 1st, Bagaha, West Champaran.

Prosecution case, in short, is that the petitioner had taken some objectionable photos of the daughter of the informant and forwarded the same on whatsapp of the husband of daughter of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. From perusal of the F.I.R., it appears that the petitioner had physical relationship with the victim and the same was consensual relationship between the parties.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. From perusal of the F.I.R. itself, it appears that the victim got married. Thereafter, the petitioner was sending objectionable photographs on whatsapp of husband of the victim with a view to defame and ruin the marital life of the victim.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and



prays for regular bail, same shall be considered on its own merit
without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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