

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62382 of 2021**

Arising Out of PS. Case No.-285 Year-2021 Thana- BARUN District- Aurangabad

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SURAJ YADAV @ SURAJ KUMAR S/o LATE RAMESH SINGH R/o
VILLAGE-GAURI BIGHA, P.S-BARUN, DISTRICT-AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the offences under Section 354 (D) of the Indian Penal Code and Section 8 of POCSO Act and Section 67 of Information and Technology Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 18.09.2021, he is a person with clean antecedent and chargesheet has been submitted and is a young boy 21 years of age and student of B.A. Part-I at Ram Lakhan Singh Yadav College, Aurangabad and bears a good moral character.

The learned counsel submits that the informant alleges that petitioner on wts. up made some objectionable video



of the victim viral causing immense mental torture to the family. The learned counsel for the petitioner submits that the photograph which is alleged to have been made viral by the petitioner is part of FIR and from bare perusal of the same, it would manifest that none of the picture of the alleged victim is obscene in any minor. It is further submitted that it was not the petitioner who made the picture viral but the same was made viral by Chandan Kumar and Monu Kumar and thus the police did not investigate the case in correct perspective. The learned counsel further submits that even presuming what has been alleged is true without admitting for the purpose of bail, the Court should consider that petitioner is a young boy and is a student and is studying and in the event if he remains in custody for longer period of life, his entire career would get jeopardized. It is thus submits that none of the pictures were obscene, the case of the petitioner be considered sympathetically.

The learned APP vehemently opposes the bail application.

Considering the fact that the petitioner is in custody since 18.09.2021 and is a person with clean antecedent and is a student and it is his first offence, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in



the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Barun P.S. Case No. 285 of 2021, with a condition that one of the bailor shall be brother (Saroj Kumar) of the petitioner.

Further if it comes to the notice of the learned Court below that the petitioner is further implicated in any case of similar nature, the Court below will forthwith cancel his bail-bond.

The application stands allowed.

(Satyavrat Verma, J)

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