

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1669 of 2022

Arising Out of PS. Case No.-200 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

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1. NITISH KUMAR S/o- Bhim Sharma Resident of Village- Nyanagar, Navtol, Ward No. - 07, P.S.- Udakishunganj, District- Madhepura.
 2. Manish Kumar S/o- Ramotar Sharma Resident of Village- Nyanagar, Navtol, Ward No. - 07, P.S.- Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 354(B), 504, 506 and 34 of the Indian Penal Code read with Section 67 and 67(A) of the I.T. Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that a WhatsApp group, namely Hello, was created by the petitioner in which the informant was added and in the said group inappropriate and obscene videos were sent to which the informant objected and even exited from the group but again the



petitioner used to add her resulting in the institution of the present case.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and the case is more political than personal, and draws the attention of the Court to Para-12 of the anticipatory bail application, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the same does not even remotely suggest that if any obscene video was sent in the group in which the informant was forcefully added as a member and whether the same was given to the police or not. It is next submitted that no obscene video ever was produced before the police. The learned counsel for the petitioner next submits that from perusal of the *fardbyan* it appears that informant is not fully literate lady which can be culled out from the signature itself.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each 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 Udakishunganj P.S. Case No. 200 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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