

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17734 of 2023**

Arising Out of PS. Case No.-645 Year-2022 Thana- NAGAR District- Vaishali

SUDHANSHU SEKHAR @ SURAJ Son of Mohan Singh @ Mohan Prasad  
Resident of village - Gandhi Ashram, P.S.- Hajipur Town, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nikita Kumari Daughter of Sanjeev Kumar Resident of mohalla Maksudpura, Jauhari Bazar, P.S.- Nagar (Hajipur Town), District - Vaishali.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vishwanath Prasad, Advocate  
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      25-05-2023                      Heard the learned counsel for the petitioner and the  
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Hajipur Town (Nagar) PS case no. 645 of 2022, registered for the offences punishable under Sections 354(C)/ 506 of the Indian Penal Code and Section 67 of I.T. Act.

The allegation is regarding the petitioner having sent obscene whatsapp messages to the informant and then he had taken her photographs, morphed the same and made it viral on the face-book.

The learned counsel for the petitioner submits that petitioner is innocent, he has been falsely implicated in the



present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is a student of Engineering and he has not committed any offence, however, he undertakes to abide by such conditions as may be deemed fit and proper to be imposed upon him for the purposes of grant of anticipatory bail.

*Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is having a clean antecedent and is pursuing Engineering course as also has a bright carrier ahead, I deem it fit and appropriate to grant benefit of doubt to the petitioner, consequently, I direct for admitting the petitioner to the privilege of anticipatory bail, however, subject to the condition that in future, if any complaint is made by the victim girl/ informant regarding such activities, as aforesaid, being indulged in by the petitioner, the present privilege of anticipatory bail being granted to the petitioner shall stand cancelled, forthwith and he shall be taken into custody, immediately.



Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Vaishali at Hajipur in connection with Nagar (Town) PS case no. 645 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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