

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18565 of 2023

Arising Out of PS. Case No.-14 Year-2021 Thana- MAIN P.S. District- Gaya

KAMLESH KUMAR VERMA Son of Late Bachu Mahto Resident of Village
- Hathiyara, P.S.- Bodh Gaya, District – Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 228(A)/34 of the Indian Penal Code and 67(A) of I.T. Act.

The allegation against the petitioner is that he along with other accused persons have made viral the photograph, age, address and identity of a deceased rape victim.

It is submitted by learned counsel for the petitioner that no offence u/s 67(A) of the IT Act is applicable against the petitioner as he only shared the WhatsApp post of another post and petitioner is not the first person to share the same. It is further submitted that the petitioner is a social activist who only shared the said post with a view to put pressure upon the police to take action against the accused persons and had no any



intention to disclose the identity of the victim. Petitioner has no criminal antecedent. Similarly situated co-accused has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No. 22565/2022.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Gaya in Main Police Station Case No. 14/2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

