

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24170 of 2023

Arising Out of PS. Case No.-443 Year-2022 Thana- DINARA District- Rohtas

CHHOTU CHINGARI @ NIKHIL KUMAR Son of Sunil Singh Resident of
Kshatriye Nagar, P.S.- Aurangabad, District - Aurangabad, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 292, 354(C), 504, 506 and 384/34 of the Indian Penal Code, Section 8/12 of the POCSO Act and Section 66(c)/67(B) of the I.T. Act pending in the learned court below.

As per the prosecution case, petitioner along with other co-accused persons uploaded objectionable photograph of the informant's minor niece in social media and Pankaj Singh composed therewith very vulgar song in his own voice. It is further alleged that Pankaj Singh, using his own ID, made viral a photograph, composing the face of informant's niece with a naked photograph of a girl.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation



against the petitioner. He submits that there is specific overt act against the co-accused Pankaj Singh. He further submits that the mother of the petitioner brought the facts in notice of the Superintendent of Police, Rohtas and requested for fair investigation of the case. He further submits that petitioner has got two criminal antecedents as stated in para-2 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submits that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Dinara (Bhanas) P.S. Case No. 443/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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