

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32797 of 2023

Arising Out of PS. Case No.-132 Year-2019 Thana- DARPA District- East Champaran

1. RAHUL KUMAR SON OF SURESH PRASAD R/O VILLAGE-BHATANAHIYA, P.S.- DARPA, DISTRICT- EAST CHAMPARAN
2. JITESH KUMAR SON OF YADOLAL SAH R/O VILLAGE-BHATANAHIYA, P.S.- DARPA, DISTRICT- EAST CHAMPARAN
3. RAKESH KUMAR SON OF KRISHNA PRASAD R/O VILLAGE-BHATANAHIYA, P.S.- DARPA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-07-2023 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 342, 354(c) 323, 504, 506, 509, 120(B) and 34 of the Indian Penal Code, Section 12 of the POCSO Act and Sections 66(E), 67(D) of the I.T. Act.

3. The informant alleges that petitioners in connivance with each other along with a boy of the village created fake ID of her minor daughter on Facebook and posted nude photographs of his daughter and made it viral, further on



15.12.2019, the petitioners had intercepted her minor daughter on the way and had threatened to make her nude photographs viral on social media by morphing her face, it is next alleged that when informant went to complain to the house of the petitioner, he was abused and assaulted.

4. The learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that police after threadbare investigation submitted Final Form in favour of the petitioners finding them innocent but the learned Trial Court differing with the police report took cognizance. It is further submitted that police after investigation submitted charge-sheet against Dharmendra finding him to be responsible for the occurrence as alleged, it is thus submitted that if one investigating agency after threadbare investigation finding the petitioners to be innocent submitted Final Form in their favour whether it would be prudent to send the petitioners to jail at this stage.

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

6. 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 trial court 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 trial court where the case is pending/successor court in connection with Darpa P.S. Case No. 132 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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