

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33032 of 2023

Arising Out of PS. Case No.-412 Year-2022 Thana- NAUGACHIA District- Bhagalpur

ABHISHEK SINHA @ SHRIVASTAVA Son of Late Vijay Sinha @
Shrivastava @ VIJAY KUMAR Resident of Ward No.- 1, Saheb Tola, P.S.-
Bihia, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarandha Suman

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 354©, 354(D), 509, 506, 420, 379 of the Indian Penal Code and Section 67(c) of the I.T. Act.

As per prosecution case, it is a case of outrage the modesty. The informant alleged that the petitioner took some objectionable photographs of her sister and threatened to viral the said photographs on social media. The petitioner was continuously blackmailing the informant's sister and ultimately, he made viral the objectionable photos on social media. Thereafter, this case has been lodged.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted vide para 7, 8 & 13 of the petition that the petitioner and the victim were in relationship for 4-5 years to this incident but the family of the victim has not accepted their relationship as their castes are different. The statement of victim during investigation discloses an allegation that the petitioner used to ask for some objectionable photos which the victim used to transmit on his mobile willingly and the same reveals the fact that they were known to each other and there was consensual relationship between them. The entire allegations are false and fabricated against the petitioner. The petitioner has got no criminal antecedent as stated in para-3 of the petition. It is further submitted that the petitioner is languishing in judicial custody since 31.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Naugachia P.S. Case No.



412 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Naugachia, Bhagalpur.

(Sunil Kumar Panwar, J)

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