

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.35463 of 2022

Arising Out of PS. Case No.-323 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

1. ADARSH PRATAP SINGH @ VIKASH SINGH SON OF LATE SHAIENDRA SINGH R/O VILLAGE- CHAK HASNA, P.S.- KUCHAIKOTE, DISTRICT- GOPALGANJ
2. PRAMOD SINGH @ PRAMOD PRATAP SINGH SON OF BARISTER PRATAP SINGH R/O VILLAGE- CHAK HASNA, P.S.- KUCHAIKOTE, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 06-02-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as Sri Shailendra Kumar, the learned APP for the State.

The petitioners apprehend their arrest in connection with Kuchaikote P.S. Case No. 323 of 2019, registered for the offences punishable under Sections 67/67 (A) of the I.T. Act.

The informant has expressed his firm belief that it were the petitioners who have posted vulgarous photographs of his niece after creating a fake account on Facebook.

Learned counsel for the petitioners has submitted that even the victim did not name the petitioners. They have falsely been implicated for the reason that there was some rivalry between petitioner No. 2 and the informant as they were engaged in



business of stone chips.

Though, the informant has mentioned the name of the petitioners in fardbeyan. But, the victim Soni Kumari whose photographs are alleged to be posted on the Facebook has not mentioned the name of the petitioners. The daughter of the informant also did not name the petitioners in her statement recorded in paragraph No. 8 of the case diary. The names of the petitioners have been mentioned only on the basis of suspicion.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VII, Gopalganj in connection with Kuchaikote P.S. Case No. 323 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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