

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39320 of 2023

Arising Out of PS. Case No.-182 Year-2020 Thana- BIHTA District- Patna

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Banti Kumar S/o- Ajit Prasad Singh, Resident of Village- Shivnar, P.S.-
Mokama, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-07-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Bihta P.S. Case No. 182 of 2020 dated 03.03.2020, lodged under
Sections 354(C), 500 & 501 of the Indian Penal Code read with
Section 66(D) of I.T. Act but later on Section 509 of the Indian
Penal Code read with Section 11 & 12 of POCSO Act have been
added.

4. As per prosecution case, the F.I.R. has been lodged
against unknown accused persons who allege to prepare the fake
account of informant's daughter and making dirty posts on the
web cloud, in result the image of family of the informant is



badly hampered.

5. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R., his name has come in the F.I.R. during investigation in which it has been found that the mobile number of petitioner has been used for preparation of the fake account and posting the dirty pictures. The defence taken by the counsel for the petitioner is that petitioner is completely unaware of this event, rather the cousin of petitioner, namely, Avi Akash Kumar used his mobile for doing so. He further submits that petitioner is in custody since 14.02.2023 and his antecedent is clean.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, VII-cum-Exclusive Special Court (POCSO Act), Patna in connection with Bihta P.S. Case No. 182 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C.



8. With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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