

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43325 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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Vikash Tiwari @ Vikash Kumar Son Of Sudhir Tiwari Resident Of Village
Mathnamal, Ps- Garaul, Malik Mithana Bhim, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 354, 354(D), 506 of the Indian Penal Code and
Section 67 of the Information Technology Act.

It is alleged against the petitioner that he made
phone call on the mobile of the informant and her
husband and threatened to make the dirty and nude
photographs of her younger daughter Vicky Kumari viral
on social media. The obscene photographs were sent on



the mobile of her relatives and social media. The petitioner further threatened to let her daughter Vicky Kumari go with him else she would be kidnapped. The petitioner also threatened to blast her house by throwing bomb on her house.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner and informant's daughter were having love affairs and they solemnized marriage in a temple, the copy of marriage certificate, Aadhar card and photographs are being annexed as Annexure-2 series. Since the informant was not happy with the marriage, she lodged this false case against the petitioner. There is no cogent evidence whether the photographs were posted on social media or sent to the relatives of the informant was done by the petitioner. The petitioner is languishing in custody since 19.03.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



Learned counsel appearing on behalf of the informant and learned A.P.P for the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Motihari Town P.S. Case No. 103 of 2023.

(Sunil Kumar Panwar, J)

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