

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44738 of 2023

Arising Out of PS. Case No.-86 Year-2022 Thana- KUTUMBA District- Aurangabad

DILIP PASWAN @ DILIP KUMAR son of Bhagwan Paswan Village-
Rampur Naughada Ps- Kutumba Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 376, 506 of the Indian Penal Code and Section 67 of the Information Technology Act, 2000.

3. As per prosecution case, the petitioner is said to have established sexual relationship with the daughter of the informant and click obscene picture while doing so. After threatening, the petitioner sent it to victim as well as her fiance.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is a delay of two months in lodging the present case for which, no satisfactory explanation has been given by the informant. It is also submitted



that the mobile number used for sending obscene picture of victim girl, does not belong to the petitioner. As per supplementary affidavit, charge sheet has been framed against the petitioner and trial has been commenced. During trial, victim as well as the informant have examined as PW-1 & PW-2 where both have turned hostile and denied from the allegation. The petitioner has got no criminal antecedent and languishing in judicial custody since 15.2.2023.

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

6. 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 him on bail. The above named petitioner is directed to be released on bail in connection with Kutumba P.S. Case No. 86 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 Additional Chief Judicial Magistrate,-VII, Aurangabad.

(Sunil Kumar Panwar, J)

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