

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44309 of 2023**

Arising Out of PS. Case No.-313 Year-2021 Thana- RUPASPUR District- Patna

Deep Narayan Singh, S/O Late Nunulal Singh R/O Village- Majlishpur, Ps.  
Bidupur, Dist. Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      09-08-2023                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in anticipation of his  
arrest in a case registered for the offences punishable under  
Sections 354(D)/ 509 of the Indian Penal Code read with  
Section 66(E) of the I. T. Act and later on, Section 12 of the  
POCSO Act was also added.

3. The learned counsel for the petitioner submits that  
the petitioner has antecedent of one case and the informant  
alleges that on 07.07.2021, one of his friend informed him that  
some unknown persons have uploaded some personal  
photograph and video of his daughter on a fake Instagram  
profile in the name of Sanskar and objectionable and obscene  
comments were being made and thus, alleges that he and his



family members along with his daughter are in shock and the daughter has gone in depression.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that petitioner is a Mukhiya. It is also submitted that during the investigation, what has transpired is that the obscene picture of the victim was uploaded on Instagram to the IP address of one Indrajeet Kumar and from the SIM number of the petitioner, objectionable comments were made.

5. The learned counsel next submits that no prudent person would use his own mobile number for committing an occurrence and thus, would create evidence against himself and hence, would get implicated. It is further submitted that no doubt, the SIM number was in his name, but he had given the same to his son Sujal Kumar, who at the relevant time, was a student of Patna Central School and was residing in the hostel. It is further submitted that petitioner had brought the said fact to the notice of the Investigating Officer also as would be evident from Annexure-3 to the anticipatory bail application. The learned counsel submits that petitioner is not shying away from his responsibility that his minor son, who was having the SIM, might have committed the occurrence of commenting on the



picture of the victim.

6. Learned A.P.P. opposes the bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-VII-cum- Exclusive Special Court (POCSO Act), Patna in connection with Rupaspur P. S. Case No.313 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

**(Satyavrat Verma, J)**

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