

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51087 of 2023

Arising Out of PS. Case No.-303 Year-2021 Thana- BEUR District- Patna

Rakesh Kumar @ Rakesh Sharma, male, aged about 30 years, S/o Satendra Singh, R/o Village- Bijlipur, P.S. Ghoshi, Dist. Jehanabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Jharkhandi Upadhyay, Advocate
For the Opposite Party	:	Mr. Ganesh Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Beur P.S. Case No. 303 of 2021 dated 13.07.2021, instituted for the offence punishable under Sections 354(D)(II), 500, 504, 507 & 34 of the Indian Penal Code and Section 67 of the IT Act.

3. Allegation against the petitioner is of abusing the informant and uploading the indecent post of the informant and her family members on social media.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. The petitioner is suffering from chronic disease and he is under treatment. It is further submitted that the petitioner's wife took divorce on the ground of impotency and her second marriage was also solemnized with another person. The elder



sister of his wife is living in the same *mohalla* and she wanted to disturb him so she filed a false case against the petitioner and his younger brother. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Beur P.S. Case No. 303 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Patna subject to conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Khatim Reza, J)

Gaurav Kumar/-

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