

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64141 of 2022

Arising Out of PS. Case No.-132 Year-2019 Thana- DARPA District- East Champaran

DHARMENDRA KUMAR S/o Yogendra Prasad Yadav R/o Village-
Bhatnahiya, P.S.- Darpa, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr. J.N.Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 01-05-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 341, 342,
354C, 323, 504, 506, 509, 120B and 34 of the Indian Penal
Code, Section 12 of the POCSO Act and Sections 66(E) and
67(B) of the Information Technology Act, registered in
connection with Darpa P.S.Case No. 132 of 2019.

As per allegation made in the FIR, three accused
persons, namely, Rahul Kumar, Jitesh Kumar and Rakesh
Kumar prepared some objectionable photographs of the
informant's daughter and made the same viral on social media
platform.



The learned counsel for the petitioner has submitted that he is innocent and is not named in the FIR. There is no allegation against the petitioner of preparing obscene photographs and making the same viral on the social media platform. He is in custody since 26.08.2022 having clean antecedent.

On the other hand, learned APP has submitted that the witnesses in paragraph nos.32, 40, 48, 56, 64, 72 and 79 have named this petitioner also.

Considering the above facts and circumstances, clean antecedent, period of custody and also keeping in view the fact that he is not named in the FIR, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Darpa P.S.Case No. 132 of 2019, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make available available as and when required by the court.
2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an



application before the court below for
cancellation of the bail of the petitioner and the
learned court below will take decision in
accordance with law.

(Nawneet Kumar Pandey, J)

HR/-

U		T	
---	--	---	--

