

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73763 of 2023

Arising Out of PS. Case No.-480 Year-2022 Thana- AMAS District- Gaya

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Satyendra Kumar S/O Mukdev Yadav Village- Khjuiran, PS- Barachatti, Dist.
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Amas P.S Case no.480 of 2022 registered under sections 354C and 354D of the Indian Penal Code, section 12 of the POCSO Act and section 67 of the I.T Act wherein cognizance has been taken under sections 354C and 354D of the Indian Penal Code, sections 66D, 67, 67A and 67B of the I.T Act and section 12 of the POCSO Act.

3. As per the prosecution case, the informant states that the petitioner who happens to be the cousin (*chachera*) brother-in-law of her uncle's daughter created a facebook



account in her name and started to post photographs along with inappropriate songs. On her marriage being fixed, he sent one of the posts to the prospective groom as a result of which her marriage broke.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. It is submitted that the parties happen to be distantly related as would be evident from the contents of the F.I.R. Further besides the complaint having been filed in a typed format, the informant describes herself to be aged 20 years. The offence alleged under the Indian Penal Code are bailable and the sentence under the I.T Act is of a maximum of 3 years. The petitioner is in custody since 16.6.2023 and charge-sheet has been submitted in the case.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the submissions made by learned counsel for the petitioner, the petitioner being in custody for more than 5 months since 16.6.2023, investigation in the case having concluded and cognizance having been taken as is evident from the order of



the learned trial Court, the petitioner is directed to be enlarged on bail in connection with Amas P.S Case no.480 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya.

(Partha Sarthy, J)

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