

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25638 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- JALALGARH District- Purnia

Abu Sama @ Md. Abu Shama Son of Alimuddin R/o Village- Balua, P.S.-
Jalalgarh, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Adv

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-09-2024 Heard Mr. Md. Ziaul Quamar, learned counsel for the

petitioner as well as Mr. Dilip Kumar No.1, learned APP for

the State.

2. The petitioner apprehends his arrest in a case

registered for the offence punishable under Sections 341,

323, 354, 379, 385, 504/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he took

obscene photographs of the informant and demanded

Rs.25,000/- as extortion and threatened to make her photo

viral. When the informant protested, the petitioner assault her

and snatched her gold chain.

4. It is submitted by learned counsel for the petitioner

that petitioner is quite innocent and has committed no



offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He further submitted that the police has not seized the mobile phone of the petitioner in order to verify that whether the petitioner has taken any photo of the informant. The occurrence took place on 27.07.2023 and FIR was lodged on 01.09.2023 i.e. after a delay of about four months and ten days, without giving any explanation regarding the said delay which creates a serious doubt over the genuineness of the prosecution case. Petitioner has no criminal antecedent.

5. Mr. Dilip Kumar, learned Additional Public Prosecutor for the State vehemently opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Jalalgarh P.S. Case No.166 of 2023,



subject to the conditions as laid down under Section 438(2)
of the Cr.P.C.

(Anjani Kumar Sharan, J)

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