

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27664 of 2024

Arising Out of PS. Case No.-19 Year-2023 Thana- RAXAUL District- East Champaran

SATYAN JAISWAL @ SATYAM JAISWAL, S/o LATE PRAMOD
JAISWAL, R/O VILLAGE- MAIN ROAD, P.S- RAXAUL, DISTT.- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Shantanu Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-05-2024 Heard Mr. Ajay Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Shantanu Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Raxaul P.S. Case No. 19 of 2023 registered for the offence
punishable under Sections 354(D), 504, 506/34 of the Indian
Penal Code and Sections 66(E)/67(A) of the I.T. Act.

3. As per the allegation made in the F.I.R., the
informant's sister, namely, Chandani Kumari was to marry with
one Vishal Kumar, but the marriage could not be solemnized.
However, Chandani and Vishal continued to talk with each other
and after few months Chandani got involved in affair with the
petitioner. The allegation against the petitioner is that he



disclosed to the husband of the informant about the affairs of Chandani Kumari with Vishal Kumar and him. Due to this, the husband of the informant scolded Chandani Kumari. It is alleged that some objectionable remarks and photographs were posted on the facebook of the informant's husband by the petitioner and said Chandani Kumari.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is quite innocent and he has falsely been implicated in the case with ulterior motive. The petitioner is not concerned, in any manner, with the relationship of Chandani Kumar with said Vishal Kumar. As per the allegation made in the F.I.R., the husband of the informant had scolded Chandani Kumari and no allegation has been made against the petitioner that in any manner the petitioner is concerned with the photographs and objectionable remarks which were posted on the Facebook account of the husband of the informant. It has been submitted in Para-7 of the bail application that the petitioner is not the owner of the mobile number from which objectionable remarks and photographs were posted on the Facebook ID of the informant or her husband.

5. Learned APP for the State has vehemently opposed



the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner and the fact that the petitioner has denied in Para-7 of the bail application that the mobile phone which was used for making the photographs and objectionable remarks viral don't belong to the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul at Motihari in connection with Raxaul P.S. Case No. 19 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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