

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27633 of 2024

Arising Out of PS. Case No.-361 Year-2023 Thana- RAJAON District- Banka

=====

Pankaj Kumar Chourasia @ Pankaj Kumar Modi @ Pankaj Modi, Male, aged about 42 years, son of Pramanand Chourasia, Resident of Village- Bamdeo Ps- Rajoun Dist- banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-05-2024 Heard Mr. Praveen Kumar, learned counsel appearing on behalf of the petitioner and Mr. Brajendra Nath Pandey, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Rajoun P.S. Case No. 361 of 2023 registered for the offence(s) punishable under Sections 354(B), 354(D), 500 of the Indian Penal Code, Section 67 of IT Act and Section 8 of POCSO Act.

3. As per the allegation made in the FIR, the son of the petitioner has made viral certain objectionable photographs of the daughter of the informant. The informant complained to the petitioner, who is the father of the co-accused Prince Kumar but he has not taken any action against his son and, as such,



since he denied to take any action against his son/ Prince Kumar, he has been made accused in the present case.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and allegation is against his son/co-accused/Prince Kumar, having made viral the objectionable photographs of the daughter of the informant. Petitioner has clean antecedent. In absence of any direct allegation against the petitioner, learned counsel submits that petitioner deserves to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions of the respective parties and allegation against the petitioner is that he has not taken the complaint made by the informant regarding his son illegal act but that cannot constitute an offence to have been committed under Sections 354(B) and 354(D) of Indian Penal Code and Section 67 of I.T. Act against the petitioner. In want of any specific allegation, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-6-cum-Spl. Judge, POCSO, Banka in connection with Rajoun P.S. Case No. 361 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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

