

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32593 of 2024

Arising Out of PS. Case No.-366 Year-2023 Thana- BELDOUR District- Khagaria

Deepesh Kumar Son Of Shankar Mahto Resident Of Village - Phulwariya,
P.S. - Beldaur, District – Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 26-07-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Beldaur P.S. Case No. 366 of 2023 (G.R. No. 4270 of 2023) dated
09.12.2023, registered for the offence(s) punishable under
Section(s) 509, 376, 420, 406, 354B of the Indian Penal Code and
Section(s) 66C , 66E, 67A of I.T. Act.

3. Mr. Ranjeet Kumar Singh, learned counsel for the
petitioner submits that there is serious contradiction between the
allegation made in the FIR and the statement made by the victim
before the Judicial Magistrate as the informant revealed in the FIR
that the petitioner clicked the obscene photographs of her when
she was taking bath whereas before the Judicial Magistrate she
stated that the obscene photographs were taken by the accused
when she was sleeping with her husband. Although, petitioner's



mobile phone was seized during investigation but the police did not disclose any obscene material concerned to the informant being found in the petitioner’s mobile phone. It is further submitted that the petitioner has got no criminal antecedent and has been languishing in jail since 17.01.2024 and is aged about 23 years whereas the informant is aged about 36 years.

4. Though, Mr. Binod Kumar No.3, learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepted that there is no details in the case diary to show whether the seized mobile phone or Pen drive has any obscene material concerned to the informant or not.

5. Having regard to the above submissions and considering the petitioner's young age, his custody period and completion of investigation against him and coupled with his fair and clean antecedent, this court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be enlarged on bail in connection with Beldaur P.S. Case No. 366 of 2023 (G.R. No. 4270 of 2023) on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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