

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42690 of 2024**

Arising Out of PS. Case No.-80 Year-2019 Thana- KHAIRA District- Jamui

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Gajadhar Ravidas @ Gajadhar Kumar Son of Late Saryug Ravidas Resident  
of Village- Amari, P.S- Khaira, Dist- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jodhan Ravidas Son of Late Huro Ravidash R/O Vill.- Amari, P.S.- Khaira,  
Dist.- Jamui

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate  
For the Opposite Party/s : Mr. Umanath Mishra, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      22-08-2024                      Heard learned counsel for the petitioner as well as  
  
learned APP for the State.

2. The petitioner seeks bail in anticipation of his  
arrest in a case registered for the offences punishable under  
Sections 354(B), 506, 67(B), IT Act and 12 of the POCSO Act  
in connection with Khaira P.S. Case No.80 of 2019.

3. The learned counsel for the petitioner submits that  
from perusal of the office report dated 20.08.2024, it would  
manifest that the registered notice has been received by the  
daughter of the O.P. No.2. Since the registered notice has been  
received by the daughter of the O.P. No.2, hence the notice is  
deemed to have been validly served.

4. The learned counsel next submits that petitioner is



a person with clean antecedent and the informant alleges that his own nephew (petitioner) made viral dirty photographs of his minor daughter on mobile number 9661294170, thereafter, the photos became viral on other numbers, further after inquiry it transpires that petitioner was instrumental in making the photo viral.

5. The learned counsel submits that petitioner is own nephew of the informant and the victim is his cousin sister. It is also submitted that no cousin brother would post dirty pictures of his own sister on social media. It is also submitted that since there is a dispute in between the family with respect to the property, as such the present false case has been instituted against the petitioner. It is also submitted that the informant did not give any inappropriate picture of the victim to the police at the time of registering the instant FIR, nor the police during the course of investigation was able to procure any dirty pictures of the victim. It is submitted that till date no dirty pictures of the victim has transpired during the course of investigation. It is also submitted that informant alleges that inappropriate picture of his daughter was put on mobile number 9661294170, which amply demonstrates that informant prior to instituting the FIR had seen the photograph based on which he instituted the FIR,



but then no pictures was given to the police, which casts an aspersion on the case of the prosecution. It is also submitted that till date nothing has come during the course of investigation which could even remotely connect the petitioner with the offence.

6. The learned APP, Mr. Rabindra Kumar opposes the anticipatory bail application and submits that no father would make such allegation by taking advantage of his own daughter. It is also submitted that in the event, if the privilege of anticipatory bail is granted to the petitioner the petitioner abscond or tamper with the evidence, on which the learned counsel for the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J., Ist, Jamui in connection with Khaira P.S. Case No.80 of 2019, subject to the



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

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when required, the learned trial court shall be at liberty to cancel the bail bond of the petitioner after giving him an opportunity of hearing.

9. It is further made clear that in the event if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

10. Let a copy of this order be sent to the concerned P.S. through the learned Trial court.

**(Satyavrat Verma, J)**

Prakash Narayan

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