

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42390 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- BIHTA District- Patna

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LAV KUMAR SON OF SHIV KUMAR SINGH RESIDENT OF VILLAGE -
KISHUNPUR, P.S. - BIHTA, DISTRICT - PATNA

... .. Petitioner/s

Versus

- 1. THE STATE OF BIHAR
- 2. Madhu kumari W/o Anil Sharma R/o Dariyapur, P.S.-Bihta, District-Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Patanjali Rishi, Advocate
For the State	:	Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 354 of the Indian Penal Code and Section 12 of the POCSO Act, 2012.

3. As per prosecution case, this petitioner used to send obscene photos to minor daughter of the informant through shopping app Myntra. It is also alleged that previously this petitioner had got photographs of the daughter of the informant uploaded over Instagram through two Instagram IDs and used to send them to other villagers. It is further alleged that during employment of this petitioner as teacher, he used to assault the daughter of the informant and had taken a number of photographs using which he caused extreme embarrassment to



the informant and her family members.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has been implicated in this false and concocted case due to malicious intentions. As a matter of fact, daughter of the informant was a student of the petitioner and later she started to have conversation with this petitioner over Whatsapp, which were normal conversations with consent of the daughter of the informant and without any sexual intent. It is further submitted that one Instagram ID i.e. @shreya42050 was created by this petitioner upon insistence of daughter of the informant, however, the same was being operated by the daughter of the informant and nothing was ever posted overt that account by this petitioner. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner



be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge VII-cum-Special Judge, POCSO, Patna, in connection with Bihta P.S. Case No. 33 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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