

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50561 of 2024

Arising Out of PS. Case No.-104 Year-2022 Thana- HARSIDHI District- East Champaran

Motab Alam Son of Sadre Alam Resident of Village - Manikpur, Police
Station - Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-10-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 354(D) of the Indian Penal Code and Sections 65 and 66 of the I.T. Act.

3. As per the prosecution case, the informant alleges that inappropriate messages were sent about her daughter from a Phone number 7631765834. Upon further inquiry, it was discovered that the mobile number was being used in the name of Amit Kumar @ Jaiprakash. Amit Kumar confessed that he was not sending the messages; it was Javed Alam who was responsible. When the informant resisted, Javed Alam threatened him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that as a matter of fact, during the course of investigation the co-accused Javed Alam disclosed before the police that he used to send messages to the informant through different mobile numbers and co-accused Javed Alam also used the mobile number of the petitioner to send the messages to the informant about which the petitioner was totally unaware. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Harsidhi P.S. Case No. 104 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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