

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56796 of 2024

Arising Out of PS. Case No.-262 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Anuj Kumar SON OF JAWAHAR SAH VILLAGE- SOUTH BANKATTI,
PS- BAIKUNTHPUR, DIST- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer Jha

For the Opposite Party/s : Mr. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-09-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Baikunthpur Police Station Case No. 262 of 2023,
disclosing offences under Sections 376 and 509 of the Indian
Penal Code and Sections 66(b), 67, 67(a) of the I.T. Act.

3. As per the First Information Report, the informant
developed friendship with the petitioner about three years back.
After some time, they fell in love and with consent of both
petitioner and the informant, physical relationship was
established between them. It has been alleged that photograph
was also been taken with consent of both. When the informant
realized her mistake, she stopped talking with the petitioner and
also stopped making physical relationship. Thereafter, the



petitioner displayed the objectionable photograph to the maternal uncle of the informant. The informant has alleged that after the informant stopped making physical relationship with the petitioner, in order to pressurize her, the petitioner has made the objectionable photograph of the informant viral.

4. Learned Counsel for the petitioner submits that upon perusal of the First Information Report, it would be evident that there was a long standing relationship between the informant and the petitioner. The informant has herself said that the physical relationship was established with consent of both the parties, accordingly, the submission is the same was consensual relationship between the parties. No photograph of the informant was made viral by the petitioner and during the course of investigation, nothing has come in this regard.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the informant has herself said that relationship was consensual in nature, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be



released 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 Chief Judicial Magistrate, Gopalganj, in connection with Baikunthpur Police Station Case No. 262 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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