

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75026 of 2023

Arising Out of PS. Case No.-230 Year-2022 Thana- CHORAUT District- Sitamarhi

PAPPU KUMAR SON OF SUKESHWAR RAI RESIDENT OF VILLAGE-
AND POST- BASOTRA, PS- CHORAUT, DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 05-03-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Choraut P.S. Case No. 230 of 2022 for the offence under Sections 341, 323, 504 and 34 of the I.P.C. and 67(a) of the I.T. Act, lodged on 08.12.2022 by the informant, Vinay Kumar.

3. As per the prosecution story, the informant has alleged that the obscene photo of his daughter was uploaded by Shrawan Kumar, in which, this petitioner played an active role. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he had no role to play in the said uploading which is specifically mentioned in the FIR that it was Shrawan Kumar who uploaded the obscene video of the daughter of the informant. Only



because he has criminal antecedent, has been implicated. He is a student pursuing his studies.

5. Learned APP opposes the prayer.

6. Taking into account the fact that the allegation is against Shrawan Kumar, he is a student and is of 21 years of age, will be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M., 1st, Pupri, Sitamarhi in connection with Choraut P.S. Case No. 230 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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