

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85352 of 2023

Arising Out of PS. Case No.-247 Year-2022 Thana- DAUDPUR District- Saran

Umesh Sah Son Of Bachcha Sah @ Bacha Sah R/O Village- Banwar, P.S.-
Daudpur, District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has prayed for bail in a case registered
for the offence punishable under Sections 66(C)(D) of the
Information Technology (I.T.) Act.

3. As per prosecution case, the informant alleged that on
15.07.2022 nude photograph of his 13 years old minor daughter has
been sent to his mobile whatsapp no. 9939865662 from mobile
whatsapp no. 9315854870. Subsequently, his minor daughter became
traceless and informant has been informed by his nephew that she has
been recovered from Anand Bihar Railway Station on 27.07.2022.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. He is not named
in the F.I.R. During course of investigation, sufficient evidences have



been brought on record to prove that one Krishna Sah who is son of the petitioner who was having love affairs with the daughter of informant from much before but for some reason or what, a strife took place between them which led stoppage of making talk with each other. The allege mobile from which the obscene photograph of informant's daughter has been said to be sent on the informant's mobile belongs to the petitioner, but the same was in habit to be used by petitioner's son Kishna Sah. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 13.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Daudpur P.S. Case No.247 of 2022.

(Sunil Kumar Panwar, J)

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