

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65464 of 2024

Arising Out of PS. Case No.-361 Year-2022 Thana- SHIVSAGAR District- Rohtas

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Amit Kumar Son of Dinesh Paswan Resident of village - Murli pur, P.S.-
Sheosagar (O.P.- Baddi), District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 18-01-2025 Heard the learned Advocate for the petitioner and the

learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Shivsagar (Baddi) P.S. Case No. 361 of 2022, registered for
the offences punishable under Sections 354(c) and 506 of the
Indian Penal Code and Section 67 of the I.T. Act.

3. Based upon the written report, the prosecution
alleges that the petitioner was indulged in threatening the
informant and his daughter for the purposes of getting his
marriage done with the daughter of the informant. It is further
alleged that in order to put pressure, the petitioner also made the
photograph of the daughter of the informant viral on social
media.

4. Learned Advocate for the petitioner contended that



the mobile of the petitioner was lost in June, 2022, and in this regard, an information was also given to the local police station on 16.07.2022. The FIR also disclosed that the photograph of the daughter of the informant was uploaded on Facebook from the Id of one S K Kushwaha; however, the petitioner has no concern with S K Kushwaha. Referring to the FIR, learned Advocate for the petitioner further contended that so far Section 354(c) is concerned, the petitioner being the first offender, the offence is bailable in nature. The petitioner, having fair antecedent, undertakes before this Court that he will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the mobile, which has been used for the purposes of uploading the photograph of the daughter of the informant, belongs to the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the petitioner is first offender, and the delay in lodging of the FIR, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Sasaram, Rohtas in connection with Shivsagar (Baddi) P.S. Case No. 361 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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