

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66846 of 2024**

Arising Out of PS. Case No.-161 Year-2023 Thana- BARARI District- Katihar

Asfaque Alam Son of Abu Sayed @ Abusayeed R/O Vil.- Durgapur, P.S.-
Barari Semapur, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

6 24-04-2025 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends his arrest in connection with
Barari (Semapur) P.S. Case No.161 of 2023 registered for the
offences punishable under Sections 504, 506, 509/34 of the
Indian Penal Code.

3. The prosecution case in the FIR is with regard to
the fact that the petitioner used to make some obscene
photographs of the informant, aged about 19 years and her
maternal sister also of the same age go viral and also used to
write some vulgar words on the social media. Complaining the
said act when she went to the house of the petitioner, she was
threatened and ousted from the house.



4. Learned counsel for the petitioner submits that the allegation made in the FIR has no element of truth in it. It has been submitted by the petitioner that the informant was earlier divorced by her first husband and then again married with somebody. Further submission is that there is no material to show that any kind of obscene photographs was made viral by the petitioner. Neither the informant nor her sister even produced their mobile phones before the investigating officer to substantiate the allegations. In such view of the matter, no offence under section 65 of the I.T act would be made out against the petitioner.

5. The learned APP for the State opposes the bail application.

6. Considering the facts and circumstances that petitioner has no criminal antecedent, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate III, Katihar in Barari (Semapur) P.S. Case No. 161 of 2023 , subject to condition as laid down under



Section 438(2) of the Cr.P.C and subject to the further condition
that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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