

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68307 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- Cyber P.S. District- Madhubani

Ful Babu Yadav @ Ful Yadav, S/o Indal Yadav, R/o Village- Simari
(Pichhwari Tol) P.O.- Simari, P.S.- Bisfi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ratnakar Jha, Advocate.
For the State : Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with G.R. No. 1409 of 2024 arising out of Cyber P.S. Case No. 20 of 2024 dated 26.6.2024, registered for the offences punishable under Sections 354(D), 385, 419, 420, 509/34 of the Indian Penal Code, Sections 66(D), 66(E), 67 and 67(B) of the Information Technology Act.

3. As per allegation, objectionable photos of the alleged victim are being uploaded on a facebook.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that other co-accused person has



already been enlarged on bail by learned court below itself and the case of the present petitioner stands on better footing than that of the that co-accused, because as per the Police, it is from the Mobile of the co-accused, the facebook account was opened in which the photos in question have been uploaded. He also submits that petitioner is nothing to do with the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has got clean antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with G.R. No. 1409 of 2024 arising out of Cyber P.S. Case No.



20 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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