

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48006 of 2021**

Arising Out of PS. Case No.-43 Year-2021 Thana- BAKHTIYARPUR District- Patna

Pushpak Anand S/O Sri Chetan Anand R/O Village-Rasalpura, P.S.- Doriganj,  
District-Chapra, (SARAN).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Kishore Singh

For the Opposite Party/s : Mr.Nand Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      17-08-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to  
remove the defects within three weeks. In the eventuality of  
non-removal of defects within undertaken period, the office will  
place the matter before the Bench.

The petitioner is apprehending his arrest in a case  
registered for the offence punishable under Sections 354D(II) of  
the Indian Penal Code and Section 66 of the Information  
Technology Act.

It is submitted by learned counsel for the  
petitioner that petitioner is innocent and has been falsely  
implicated in this case. He submits that the allegation against  
the petitioner in the FIR are vague and obscure inasmuch as FIR



do not attribute any specific allegation to the petitioner, hence no offence under Section 354D(II) of the Indian Penal Code and Section 66 of the Information Technology Act is made out against him. He submits that Section 66 of the Information Technology Act has been repealed by the Hon'ble Supreme Court. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bakhtiyarpur P.S. Case No. 43 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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