
(2021) 01 JH CK 0039
In the Jharkhand High Court
Case No : Bail Application No. 10368 Of 2020

Suresh Pandit

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 05-01-2021

Acts Referred:

Indian Penal Code, 1860 — Section 420
Information Technology Act, 2000 — Section 66(C), 67

Citation : (2021) 01 JH CK 0039

Hon'ble Judges : Anil Kumar Choudhary, J

Bench : Single Bench

Advocate : Neeta Krishna, V.V. Pradhan

Final Decision : Allowed

Judgement

Heard the parties through Video Conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects pointed out by the Stamp Reporter within two weeks after the lockdown is over.

In view of the personal undertaking given by learned counsel for the petitioner the defects pointed out by the Stamp Reporter are ignored for the present.

The petitioner has been made accused in connection with Barkatha P.S. case no. 130 of 2020 instituted under sections 420 of the Indian Penal Code and section 66(C)/ 67 of the I.T. Act.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner used to post obscene photographs of girls on a website for providing services of girl and he was collecting and

receiving money by Digital transfer. It is then submitted by learned counsel for the petitioner that the allegation against the petitioner is false. It is further submitted by learned counsel for the petitioner that there is no allegation against the petitioner of cheating anybody and in the absence of any material to suggest as to which lascivious material appealing to the prurient interest has been published by the petitioner, the offence punishable under section 67 of the Information Technology Act is not made out. It is further submitted by learned counsel for the petitioner that the petitioner has been in jail custody since 24.08.2020 as mentioned in paragraph 15 of the bail application and the petitioner is ready and willing to co-operate with the trial of the case hence, the petitioner may be released on regular bail.

Learned Addl. P.P. opposes the prayer for bail of the petitioner.

Considering the facts of the case, the petitioner is directed to be released 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 learned J.M., 1st class, Hazaribag in connection with Barkatha P.S. case no. 130 of 2020 subject to the condition that the petitioner will co-operate with the trial of the case.