

Court No. - 27

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S
438 CR.P.C. No. - 1794 of 2021

Applicant :- Aparna Purohit

Opposite Party :- State Of U.P. & Another

Counsel for Applicant :- Purnendu Chakravarty, Anuj
Taandon, Shivanshu Goswami

Counsel for Opposite Party :- G.A.

Hon'ble Alok Mathur, J.

1. Heard Sri Jaideep Narain Mathur, learned Senior Counsel as well as Sri H.G.S. Parihar, learned Senior Counsel assisted by Sri Purnendu Chakravarty, Sri Annuj Tandon, Ms. Monica Dutta, Sri Siddharth Chopra, Sri Nitin Sharma, Sri Shivanshu Goswami and Ms. Meenakshi Parihar, learned counsel for applicant and Sri Vinod Shahi, learned Additional Advocate General on behalf of State.

2. The affidavit in support of anticipatory bail application and the affidavit in support of application for filing the soft copy of deleted scenes are taken on record.

3. It is has been submitted by learned counsel for the applicant that the applicant is Commercial Head of Amazon Prime Video and had purchased the rights of web series "Taandav". In the F.I.R. it has been stated that the contents of the said web series reveal commission of offences under Sections 66, 66-F and 67 IT Act, 2008 (as amended) apart from Sections 153-A, 295, 505 (1) (b), 505 (2), 469 IPC.

4. It is further submitted on behalf of the applicant that all the offences as per IPC as well as the offences under Section 66, 66-F and 67 of Information Technology Act carry a maximum sentence of three years. It is further submitted that a perusal of the first information report does not indicate commission of any offence under Section 66-F of the Information Technology Act and further it was submitted that similar case being Criminal Misc. Anticipatory Bail Application under Section 438 Cr.P.C. No.2640 of 2021 has engaged the attention of this Court at Allahabad wherein interim protection has been granted to the applicant vide its order dated 4.2.2021.

5. Opposing the said submissions Sri Vinod Shahi, Additional Advocate General has submitted that the visual and wordings used by certain actors in the said web series contain certain scene portraying 'God' in a very derogatory manner for which the said F.I.R. has been lodged. He further submits that the public opinion after watching the web series was so provocative

which persuaded the State for lodging the said first information report and considering the nature of the allegations and severity thereof the applicant is not entitled to grant of anticipatory bail. He further submits that he also needs time to seek complete instructions in the matter for which ten days' time may be granted so that State can file a detailed counter affidavit.

6. Ten days' time is granted to the State to file counter affidavit.

7. Considering the rival submissions of the parties as well as nature of the allegations levelled and also considering the fact that similar matter had engaged the attention of this Court at Allahabad wherein by means of the order dated 4.2.2021 interim protection has been granted, it is provided that till the next date of listing no coercive action shall be taken against the applicant.

8. List this case on 22.2.2021.

Order Date :- 11.2.2021
RKM.

(Alok Mathur, J.)