

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28423 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -MEHANDIGANJ District- PATNA

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1. Suraj Kewat S/o Chhotan Kewat @ Chote Lal Kewat Resident of
Daldaliganj, P.S. Mehandiganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 30-09-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections-354(a) (b) (d) of the Indian Penal Code and Section12 of
the POSCO Act.

Petitioner and one Sagar Kewat are said to have caught
hands and, touched the cheek of the informant's daughter while
she was going along with her relatives and further, it is alleged
that they used to pass filthy comments against her. It is also stated
that co-accused Sagar Kewat wrote some objectionable lines on
the wall of house of the informant.

The petitioner is languishing in jail custody since 25-
05-2016 and submission on behalf of petitioner is that Sections-

354(a)(d) of the Indian Penal Code are bailable in nature and so far as Section-354(b) of the Indian Penal Code is concerned; the same is not applicable in this case. It is further submitted that no doubt, Section-12 of POSCO Act has been inserted in this case but for the said act, petitioner has sufficiently been punished by remaining in jail custody since long and, moreover, the investigation against the petitioner has already been completed.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Special (POSCO) Case No. 52 of 2016 arising out of Mehandiganj P.S. Case No. 35 of 2016 to the satisfaction of learned Additional District & Sessions Judge-Ist, Patna subject to condition that any attempt by petitioner or on his behalf to terrorize the prosecution witness shall give liberty to the trial court to cancel the bail bonds of the petitioner after due and proper inquiry.

(Hemant Kumar Srivastava, J)

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