

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51045 of 2016

Arising Out of PS.Case No. -249 Year- 2016 Thana -PIRBAHOR District- PATNA

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Suman Kumar Son of Sri Umesh Choudhary, resident of Village/Mohalla-
Kursela Naya Chowk, Police Station- Kursela, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachindra Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-11-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
09.09.2016 in connection with G.R. No. 5774 of 2016, arising out
of Pirbahore P.S. Case No. 249 of 2016 registered for the offence
punishable under Section 354(B) of the Indian Penal Code.

The prosecution case, as lodged by the informant,
who is also a student taking coaching classes, is that petitioner was
following her since one month on his motorcycle and used to stop
her way as also threatened her that he will put acid and destroy her
face.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the



aforesaid case. It has further been submitted that the petitioner has no criminal history and he is himself a student and taking coaching classes. He further submits that no offence under Section 354(B) of the Indian Penal Code is made out against the petitioner, as no force has been used by him. It has further been submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with G.R. No. 5774 of 2016, arising out of Pirbahore P.S. Case No. 249 of 2016, subject to the condition that one of the bailors would a close relative and the other bailor would be a person, who has sufficient immovable properties within the jurisdiction of the said police station and will appear before the police/ Court as and when required and his failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds

without being prejudiced with this order.

With the aforesaid observations and directions, this application stands allowed.

(Nilu Agrawal, J.)

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