

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1004 of 2017

Arising Out of PS.Case No. -225 Year- 2016 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Keshav Kumar, Son of Rajendra Prasad Rastogi, resident of Village-
Pardhuman Chapra, P.S.- Kesariya, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-05-2017 The appellant seeks regular bail in connection with

Kesariya P.S. Case No. 225 of 2016, registered for offences

punishable under Sections 354A, B,C,D, 386 and 387 of Indian

Penal Code and Section 3(i)(x) of SC/ST (Prevention of

Atrocities) Act, 1989.

Allegation as per F.I.R is that co-accused, namely,

Murtaza on pretext of giving gas connection paper of her brother

took her to gas agency, where co-accused Sudhir Kumar took her

photograph and appellant caught hold her forcibly and in spite of

her protest her objectionable video was made and, thereafter,

appellant started to display the video to other and also distributed

the video amongst his friends.

It has been submitted on behalf of the appellant that only



allegation against the appellant is that he displayed the objectionable video of the victim girl and there is no allegation that he made that video or took the victim girl to the place, where the video was made. Further appellant has been languishing in judicial custody since 02.09.2016 and is ready to abide by any condition imposed on him.

Heard learned Special Public Prosecutor as well as learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides, considering the aforementioned facts and circumstances, the period of custody and also that appellant has no criminal antecedent, this appeal is allowed, the appellant, above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Session Judge, Motihari, in connection with Kesariya P.S. Case No. 225 of 2016, subject to following conditions :-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or



tamper with the evidence.

- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

Further it is made clear that if the appellant found harassing the victim girl or his family members, prosecution will be at liberty to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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