

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2233 of 2018

Arising Out of PS. Case No. -636 Year- 2017 Thana -HILSA District- NALANDA (BIHARSHARIFF)

Jitendra Kumar son of Raj Kumar Paswan, Resident of Village - Khaddi Lodipur, P.S.- Telahara, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Kumar, Advocate

For the Opposite Party: APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 02.10.2017 in connection with Hilsa P.S. Case No. 636 of 2017 for the offences alleged under Sections 323, 341 and 354(B) of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and even according to the first information report, the allegations are of alleged misbehaviour with the informant and of taking photographs on his mobile which are general and omnibus in nature and do not satisfy the ingredients of Section 354(B) of the IPC. Neither the provisions of the Information Technology Act nor mobile number of the petitioner has been mentioned in the FIR. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa (Nalanda), in connection with Hilsa P.S. Case No. 636 of 2017, on



the following conditions:-

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.
- (iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

B.T/Chandran

(Vikash Jain, J)

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