

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19504 of 2019

Arising Out of PS. Case No.-12 Year-2018 Thana- BANMANKHI District- Purnia

1. KUSHESHWAR KUNWAR, S/o Late Anandi Kunwar, Resident of Ward No.12, Makhnaha,P.S-Banmakhi, District-Purnea.
2. Raj Ratan Kunwar, S/o Kusheshwar Kunwar, Resident of Ward No.12, Makhnaha,P.S-Banmakhi, District-Purnea.
3. Ashish Kunwar @ Sonu, S/o Nand Kishore Kunwar, Resident of Ward No.12, Makhnaha,P.S-Banmakhi, District-Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Advocate with Mr.Amresh Kumar Sinha
For the Opposite Party/s :		Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-05-2019 Petitioners seek bail in anticipation of their arrest in connection with Banmakhi P.S. Case No. 12 of 2018 registered for the offences punishable under Sections 341, 323, 384, 504/34 of the Indian Penal Code and Sections 66A, 66E and 67 of I.T. Act.

Allegation as per FIR is that cousin brother of the informant has taken photograph of the informant in semi naked stage while taking bath from his mobile phone and made it viral and it is further alleged that when family members of informant made protest against the petitioners, they assaulted them. However, villagers assembled and the matter was pacified and



he disclosed the mobile number by which photograph was made viral.

Submission of learned counsel for the petitioners is that the main allegation is against co-accused Neeraj Kunwar and petitioners are the family members of the said Neeraj Kunwar and they have falsely been implicated. However, police after investigation has not found the case true against the petitioner but cognizance has been taken.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail on the ground that petitioners have encourage the co-accused in the crime and phone numbers of all the petitioners have also been mentioned in the FIR.

In view of above facts and circumstances, let petitioners, in the event of arrest or surrender before the court below within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Purnea, in connection with Banmakhi P.S.Case No. 12 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and



further condition is that one of the bailors of the petitioners shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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