

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46009 of 2019

Arising Out of PS. Case No.-157 Year-2019 Thana- KESARIA District- East Champaran

ARVIND KUMAR Son of Alla Rai Resident of Village - Sundrapur, P.S.-
Kesariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 27-09-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Kesariya P.S. Case No. 157 of 2019 registered
for the offence punishable under Section 376 of the Indian Penal
Code and 67 I.T. Act.

Informant in her written complaint has stated that 6-
8 months prior, petitioner Arvind Kumar was introduced to her
and after some time he enticed her away and took her
photographs in an objectionable condition and thereafter he took
her in a hotel and forcibly established physical relation with her
and also prepared video of the same.

It has been submitted on behalf of petitioner that he is



innocent and has not committed any offence and relations were consensual. Petitioner has no criminal antecedent and is in custody since 05.04.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 3rd, Motihari, East Champaran, in connection with Kesariya P.S. Case No. 157 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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