

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23492 of 2020

Arising Out of PS. Case No.-200 Year-2019 Thana- MANJHAGARH District- Gopalganj

Shahjad Ali @ Shahjad, Son of Nurul Hoda, Resident of Village- Jagarnatha
Bazar Tola, P.S.- Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 07-10-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Manjhagarh P.S. Case No.200 of 2019 registered for the offence punishable under Sections 341, 323, 354B, 366, 511, 504, 506/34 of the Indian Penal Code. Subsequently, Section 306 of the I.P.C. was also added.



The F.I.R. alleges that while going to coaching classes, the informant was being teased and manhandled by the petitioner. It is alleged that he has threatened to kidnap her and eliminate her when she objected.

Learned counsel for the petitioner submits that the occurrence is dated 03.08.2019, however, no time of occurrence has been indicated. The information has been given to the police on 04.08.2019 and one day thereafter, the informant has committed suicide. The statement of the father of the informant has been recorded in paragraph 22 of the case diary where he has stated that being humiliated by some questions being put to the informant at the *Mahila* Police Station, she has committed suicide. Under such circumstances, the petitioner, who is stated to be the student having no criminal antecedents, is in custody since 08.08.2019.

Learned APP for the State has opposed the prayer for bail. The statement of the father of the informant recorded in paragraph 22 of the case diary, however, cannot be denied by the State Counsel.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be



released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, in connection with Manjhagarh P.S. Case No.200 of 2019, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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