

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10490 of 2021**

Arising Out of PS. Case No.-66 Year-2020 Thana- ROSHANGANJ District- Gaya

UDAY KUMAR @ UDAY CHAUDHARY Son of Satyendra Chaudhari
Resident of Village/Mohalla- Lemboiya, P.S. Raushanganj, District - Gaya,
Bihar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Singh, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 13-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Raj
Kishore Singh, learned APP for the State.

Petitioner in the present case is seeking regular bail in

connection with Raushanganj P.S. Case No. 66 of 2020

registered for the offences punishable under Sections 153, 465,
469, 471 of the IPC and Section 67, 67(a), 67(b), 67(c) of the IT
Act. He is in custody since 4.7.2020.

Learned counsel for the petitioner submits that as per

the prosecution story some boys of the village had made a

whatsapp group on which they had made viral some indecent

kind of photographs of the victim girl which came to the notice of the family of the victim.

Learned counsel submits that so far as this petitioner is concerned he is not admin of the said whatsapp group and there is general and omnibus kind of allegation against this petitioner, the petitioner had no role whatsoever in uploading the alleged photo.

Learned counsel submits that in connection with this case the petitioner is languishing in custody since 4.7.2020.

Learned APP for the State has though opposed the prayer for bail of the petitioner but the submission of learned counsel for the petitioner that the photos were not uploaded by the petitioner has not been controverted.

Considering the facts and circumstances of the case, the nature of the materials placed before this Court and on finding that the petitioner has remained in jail for over one year and has got one criminal antecedent in which the petitioner is on bail and has been remanded in the present case from the said case, this Court directs release of the petitioner on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Court of SDJM, Sherghatti at Gaya in

connection with Raushanganj P.S. Case No. 66 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.