

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10008 of 2022**

Arising Out of PS. Case No.-92 Year-2021 Thana- MAHILA P.S. District- Saran

GIRJA MANJHI Son of Baban Manjhi Resident of Village - Hakma, Police  
Station - Garkha, District - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Ban Bihari Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      05-07-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Mahila  
P.S. Case No. 92 of 2021 registered for the offence under  
Sections 354, 354(D) and 504 of the Indian Penal Code and  
Section 67(C) of I.T. Act.

The accused/petitioner is named in the F.I.R. and is in  
custody since 20.12.2021.

The allegation against the petitioner is to take  
objectionable photograph of informant and upload the same on  
social media like Facebook.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner has been falsely implicated in this case due to previous enmity. It has further been submitted that allegation of stalking against the petitioner is baseless and not supported by any independent witness. It has further been submitted that certificate under Section 65 (B) of Indian Evidence Act has not been obtained during course of investigation. It has been submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that the investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as mandatory certificate as required under Section 65 regarding electronic evidence, which is one the basis of present prosecution has not been obtained during course of investigation coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Mahila P.S. Case No. 92 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saran at Chapra, subject to the following conditions:

*“(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.*

*(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.*

*(iii) That one of the bailors shall be Krishna Manjhi, who is the full brother of the petitioner and deponent of the present bail petition.”*

**(Chandra Shekhar Jha, J)**

S.Katyayan/  
R.S.Sen/-

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