

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14534 of 2022**

Arising Out of PS. Case No.-502 Year-2021 Thana- DARIYAPUR District- Saran

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Nitish Kumar @ Ghosh Rai Son of Rudal Rai Resident of Village -  
Samanchak, P.S.- Dariyapur, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Udai Shankar Singh, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP.

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

3      10-10-2022                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Dariyapur P.S. Case No. 502 of 2021, lodged under Sections  
341, 323, 354, 354(D), 504, 506, 509, 120(B), 34 of the Indian  
Penal Code read with Section 67/67(a) of I.T. Act, 2020.

The allegation against the petitioner is that he  
alongwith other accused persons use to prepare a footage  
assaulting and outraging modesty of a woman and his male  
friend, when Police has received the said footage, has identified  
the accused persons and lodged the present F.I.R.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further submits that there is no trace of victim in this case, Police has lodged the case with a view to harass the petitioner and others. He also submits that petitioner is in custody since 07.10.2021 and there is one criminal case pending against him in which he is on bail. He further submits that petitioner is ready to fulfill all the conditions, whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- XIII<sup>rd</sup>, Saran at Chapra in connection with Dariyapur P.S. Case No. 502 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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