

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31544 of 2021

Arising Out of PS. Case No.-16 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

Keshav Anand, Male, aged about 30 years, Son of Late Chandeshwari Prasad Singh, Resident of Village/Mohalla - Masjid Lane, Bari Khanjarpur, P.S.- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kripa Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 04-01-2022 The applicant/accused in Crime No. 16 of 2021 registered with Mojahidpur Police Station for the offences punishable under Section 419 of the Indian Penal Code as well as Sections 66 (C), 67-A of the Information Technology Act, by this application is seeking his release on bail after filing of the charge sheet.

Heard the learned counsel appearing for the applicant/accused. He submits that the applicant is an engineer and he is behind the bars from 13.01.2021. It is further argued that the investigation of the crime in question is over and the trial is not going to be started in near future.

The learned APP opposed the application by contending that during investigation, complicity of the



applicant in the crime in question was reflected. The learned counsel for the informant argued that there are specific allegations against the applicant. The first informant is a married lady who was driven out of her matrimonial house by her husband because of registration of the instant offence.

Having Considered the submissions so advanced. The offence punishable under Section 419 of the Indian Penal Code is bailable. Other offences are punishable with imprisonment for a term of five years. Investigation of the crime in question is already over. According to the prosecution case, the applicant had hacked the facebook account of the first informant and had made viral some text.

As the applicant is behind the bars from 13.01.2021 and the investigation of the crime in question is already over, I am of the considered opinion that the applicant deserves to be released on bail by imposing stringent conditions on him. Therefore the order.

The application is allowed.

The applicant/accused in Crime No. 16 of 2021 registered with Mojahidpur Police Station for the offence punishable under Section 419 of the Indian Penal Code as well as Sections 66 (C) 67-1 of the Information Technology Act be



released on bail on executing P.R. bond of Rs. 25,000/- (Twenty Five Thousand) on furnishing two sureties of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

As a condition of this order, the applicant should not



repeat commission of similar offence in future. He should not
contact the first informant and her relatives in any manner.

(A. M. Badar, J)

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