

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25767 of 2022

Arising Out of PS. Case No.-286 Year-2021 Thana- BIHRA District- Saharsa

RAJNISH THAKUR @ RAJNISH KUMAR @ RAJNISH KUMAR
THAKUR S/O LATE GHANSHYAM THAKUR Resident of Barahser, Ward
No.- 05, P.S.- Bihra, Distt.- Saharsa ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Kumar Shanu, Adv.
For the Opposite Party : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-08-2022 Heard Mr. Kumar Shanu, learned counsel for the petitioner and Mr. Ashok Kumar Singh, learned Additional Public Prosecutor, who represents the State.

The case is registered under Sections 188, 353, 327 and 404(II) of the Indian Penal Code and 67 of the Information and Technology Act in connection with Bihra P.S. Case No. 286 of 2021.

As per the allegation in the first information report, the Sub Inspector of Police, Mr. Satyendra Kumar, Station House Officer of Bihra Police Station, alleged that the petitioner was posting completely false and unsubstantive post on his facebook profile damaging the image of the police. The document which is part of the first information report fully corroborates the first information report that the petitioner was trying to lower the image of the police in the eyes of the public.



Learned counsel for the petitioner submits that for the said alleged act, he has already suffered by being in custody since 07.01.2022 (as mentioned in paragraph 12 of the bail application). He further submits that he is ready to abide by all the terms and conditions, if released on bail.

Considering the fact that the petitioner is in custody since 07.01.2022, charge sheet stands submitted, this Court is inclined to grant him privilege of bail subject to certain conditions in view of the criminal antecedent he has.

The petitioner is directed to be released on bail in connection with the above case on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Saharsa, subject to the following conditions :

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bonafide.

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself.

(iii) he shall appear before the concerned Police



Station every fortnight for next one year to mark his presence.

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Shamshad/-

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