

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37053 of 2021

Arising Out of PS. Case No.-36 Year-2019 Thana- SANHAULA District- Bhagalpur

RAJ KUMAR PASWAN Son of Sri Yogendra Paswan Resident of Village-
Khurd Dumariya, P.S.- Hanwara, District- Godda, (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek, Adv.

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

5 17-05-2022 The applicant/accused in Crime No. 36 of 2019 registered with Sanhaula Police Station for the offences punishable under Sections 379, 504, 506, 468 of the Indian Penal Code, by this application is seeking his release on bail during pendency of the trial.

Heard both sides.

The crime in question was registered on the basis of report lodged by Babita Devi. She alleged that on 08.02.2019 her mobile phone was stolen. Subsequently, her son-in-law had received obscene messages from some cell phone apart from threats.

The stolen mobile phone was not recovered from the applicant. During the course of investigation, the mobile phone from which the messages were sent could not be recovered but



its location was traced. That mobile phone belongs to some other person as per the call detailed records.

The investigation of the subject crime is over. Therefore, further pre-trial detention of the applicant is not warranted. Hence the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 36 of 2019 registered with Sanhaula Police Station for the offences punishable under Sections 379, 504, 506, 468 of the Indian Penal Code, be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety 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.

(A. M. Badar, J)

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