

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39034 of 2022

Arising Out of PS. Case No.-676 Year-2021 Thana- SASARAM NAGAR District- Rohtas

IRFAN SHEIKH @ IRFAN SHAH @ IRFAN SEKH Son of Badruddin Shah
@ Shafique Sheikh Resident of Village- Mugalpora, P.s. Sasaram Town,
District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 354A of the Indian Penal Code and Section 66D of the I.T. Act.

The informant alleges that she has a beauty parlour and a small business relating to clothes and on account of the business she met the petitioner who asked for her number which she provided, it is next alleged that thereafter the petitioner started talking to her and even started pressurizing her to establish physical relation to which the informant refused on which she was threatened



that her husband would be killed, thereafter, it is alleged that petitioner created a fake account with informant's earlier name and put her contact number on which she received many calls, thereafter, the victim revealed this fact to her husband, it is next alleged that on account of the conduct of the petitioner she has been discouraged and her own family members are fearful.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that it is an admitted fact that petitioner and the informant were known to each other, it is also submitted that allegation of putting her contact number by creating a fake id created by the petitioner is palpably false, it is also submitted that petitioner never created any fake account putting the contact number of the informant which led to institution of the present FIR. Learned counsel next submits that petitioner will not evade the law and will cooperate in the investigation and will present himself as and when required by the investigating officer for arriving at the truth.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sasaram Town P.S. Case No. 676 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when called the learned trial Court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have liberty to cancel his bail bonds.

Further, if the police after investigation submits the charge-sheet and the learned trial Court comes to a



conclusion that petitioner is trying to delay the trial then in that event also the learned trial Court shall have the liberty to pass orders in accordance with law including canceling the bail bonds of the petitioner.

The learned trial Court is directed to send the copy of this Order to the concerned P.S.

(Satyavrat Verma, J)

GauravSinha/-

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