

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65890 of 2021

Arising Out of PS. Case No.-195 Year-2021 Thana- SHERGHATI District- Gaya

SOMNATH KESRI S/o Ramdeo Kesri @ Ramdev Keshari Resident of
Village- Dobhi, P.S.- Dobhi, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-05-2022 Heard learned Senior Counsel Mr. Krishna Prasad
Singh and learned APP.

Let the defect(s), if any, be removed within four
weeks.

The petitioner is in an accused in Sherghati (Dobhi)
P.S. Case No.195 of 2021 registered under Sections 353, 270,
269, 342, 147 of the Indian Penal Code and Section 9 of Bihar
Control of the use and Play of Loudspeaker's Act, 1955.

As per the prosecution story on 30.03.2021, when the
informant and the other constables were on patrolling duty, they
received information that some indecent songs are being played
on the D.J. It was further alleged that when they reached the
spot and the petitioner instigated the crowd to raise slogans
against them. The informant further alleged that none of them



were following the COVID-19 rules and regulations.

Learned Senior Counsel submits that he has been dragged in the case only because of confrontation with the police officials, has been made to incarcerate in jail since 14.09.2021 for the alleged use of indecent songs on the D.J.

Considering the fact that charge sheet has already been submitted and there is no question of tampering with the evidence and the petitioner is in jail since 14.09.2021, this Court is inclined to grant him privilege of bail. However, as he has certain criminal cases under his belt, some conditions are necessary to be imposed.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each in connection with Sherghati (Dobhi) P.S. Case No.195 of 2021 to the satisfaction of learned A.C.J.M., Sherghati, Gaya, subject to following conditions:

(i) 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 cancellation of his bail by the Trial court itself;

(ii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence,



failing which the State shall be at liberty to take steps for
cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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