

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69963 of 2021

Arising Out of PS. Case No.-391 Year-2021 Thana- RAMKRISHNANAGAR District- Patna

Satyam Kumar Son of Ramdhayan Prasad Resident of Village -
Gulmahiyachak Sabalpur, Police Station - Nadi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishan Jha

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 448, 354, 376, 353, 427, 504, 506 of the Indian Penal Code.

According to prosecution case, on 29.08.2021 while the informant was inside her rented house in the meanwhile Satyam Kumar entered into the house and began to use filthy languages as well as molestation with the informant as well as with her sister and said that he will solemnize marriage with Vinita that the informant gave information to police station



through phone and after receiving the information police official of Ram Krishna Nagar arrived there and they brought Satyam Kumar at police station concern and informant also went there where officers on duty were interrogating with Satyam Kumar upon this Satyam Kumar began to quarrel and deter them during course of discharging their official duty. He broke the Government mobile and other mobile phones which were kept on the table, prior to this in the year 2015-16 he took the informant at his village from Kiran Automobile Bari Pahari by his motorcycle by means of enticing her and committed the illegal act and threatened her if it is disclosed to anyone she would be eliminated.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits it appears from the F.I.R. that the allegation against the petitioner is that he has used abusive language and tried to molest the informant and her sister. He further submits that on the earlier occasion also the petitioner has been implicated in a false case of commission of rape upon the victim. He further submits that in fact the petitioner and the victim was working in the same organization and due to some previous dispute the name of the petitioner has



been implicated in the present case. The petitioner is in custody since 30.08.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Ramkrishna Nagar P.S. Case No. 391 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court



below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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