

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13127 of 2023

Arising Out of PS. Case No.-155 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Niraj Kumar Singh @ Niraj Kumar @ Gandhi Ji @ Gandhi S/O Late
Ramadhar Singh @ Ramadhar Ray R/v- Rajaura, P.S.- Muffasil, District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
18.10.2022 in connection with Muffasil P.S. Case No. 155 of
2022, F.I.R. dated 24.03.2022 for the offences punishable under
Sections 295(A), 505 and 507 of the Indian Penal Code and
Section 66 of the IT Act.

According to prosecution case, the petitioner has viral
a video in which he is using objectionable language which may
cause disturbance in public peace and harmony and the same



was also verified in technical branch S.P. Begusarai.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.10.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 7 criminal antecedents other than the present one but fairly submits that the petitioner is on bail in 6 cases out of the 7 cases.

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 Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 155 of 2022, 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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