

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36359 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- KOPA District- Saran

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Krishna Yadav @ Krishna Kumar Ray, Son of Harendra Yadav Resident of
Village- Sadhpur Bali, PS- Kopa, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-07-2023 Heard Mr. Jeetendra Narayan, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Kopa P.S. Case No. 148 of 2022 registered for the offences punishable under Sections 341, 323, 376, 504, 506 of the Indian Penal Code and Sections 67, 67(A), 72(A) of the Information Technology Act, 2000.

3. It is alleged that the brother of the petitioner has been continuously pressurizing the informant and committed rape upon her under the threat of making her video viral on the You Tube and Internet. It is further alleged that subsequently the obscene video has also been uploaded and made viral. It is further alleged that the petitioner has also been continuously



abusing and threatening the informant and her family.

4. Learned counsel appearing on behalf of the petitioner submits that even as per the narration made in the F.I.R., the only allegation against the petitioner is of threatening and no allegation of any immoral act has been made against him. He next submits that even during the course of investigation, the statement of the victim recorded under Section 164 of the Cr.P.C. does not disclose any whisper against the petitioner. He next submits that the petitioner is a man of fair antecedent and it has not come that he has abated the co-accused.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation, which is only restricted to the extent of threatening, coupled with the fair antecedent of the petitioner, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Kopa P.S. Case No. 148 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further conditions:

(i) One of the bailors shall be the own/close relative of the petitioner.

(ii) The petitioner will mark his attendance before the S.H.O. of concerned police station in the last week of every month, for six months, and in case the petitioner would be found indulged in giving threatening to the informant and her family members, the informant would be at liberty to file an application before the court below for cancellation of the bail bonds of the petitioner.

(Harish Kumar, J)

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