

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40442 of 2023**

Arising Out of PS. Case No.-103 Year-2023 Thana- SABAUR District- Bhagalpur

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DEEPAK KUMAR @ AMIT KUMAR @ AMIT SON OF JANKI MANDAL
VILLAGE BARI JAMIN THANA GORADIH DISTRICT BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-07-2023 Heard the parties.

The petitioner is in custody since 19.02.2023 in connection with Sabour (Goradih) P.S. Case No. 103 of 2023 for the offence punishable under Sections 341, 342, 354, (B), 447, 504, 506 of the I.P.C. lodged on 18.02.2023 by the informant Gajendra Singh.

As per the prosecution story, the petitioner used to tease the girl every time she stepped out of her house and also ensured that her proposed marriage does not take place. Fed up with him, the FIR.

Learned counsel for the petitioner submits that he has already suffered by keeping in custody since 19.02.2013 and under no circumstance will come even closer to the girl and/or



her family members.

Learned APP opposes the prayer.

Although at first instance, this Court was not inclined to extend him the privilege of bail on the the allegation that he was harassing the young girl regularly.

However, considering the age of the petitioner as also that he do not have criminal antecedent and has remained in custody since 19.02.2023 (as stated in para 13 of bail application) as also the undertaking given in para 14 that he will never try to contact the girl, this court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Sabour (Goradih) P.S. Case No. 103 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail



bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(vi) the petitioner will not meet either the girl or her family members failing which the prosecution side shall take steps for cancellation of his bail.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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