

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54581 of 2023

Arising Out of PS. Case No.-291 Year-2023 Thana- PATRAKARNAGAR District- Patna

PRINCE KUMAR S/O AJEET KUMAR SINGH R/O VILLAGE- SARTHA,
PS. BENA, DIST. NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikalp, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-08-2023

Heard the parties.

The petitioner is in custody in connection with Patrakar Nagar P.S. Case No. 291 of 2023 for the offence under sections 341/323/354(B)/354(D)/504 of the Indian Penal Code lodged on 20.04.2023 by the informant, Shweta Kumari.

As per the prosecution story, the girl has lodged the FIR stating that while going to the college to attend the classes, the petitioner alongwith his friends came, assaulted her and tried to take her on a vehicle. Upon her opposition, he threatened to kill her. Accordingly, the FIR.

From the facts on record, it seems that earlier also he had harassed the girl which led to Harnaut P.S. Case No. 356 of 2022 under section 363 of the IPC and when the petitioner conceded to mend ways, a compromise was filed.



Learned counsel for the petitioner submits that earlier they were in relationship and solemnized marriage but later, the girl had a fall out.

Learned APP, on the other hand, has taken this Court to the FIR to show that this petitioner created a fake facebook account in her name and used to blackmail her by threatening to post her photo/video on facebook.

It is his further submission that she has been mentally harassed as her photo and video has been shared with some of his friends. He as such opposes that once out of jail, he will again harass the girl.

To this, learned counsel for the petitioner submits that if granted bail, the petitioner will have no connection either with the girl and/or her family members and if any such incident happens, the informant shall be free to take steps for cancellation of his bail bond.

Although, considering the harassment that the girl has faced as also the alleged creation of false facebook account in her name, this Court was initially not inclined to extend him privilege of bail, in view of the fact that he is only twenty-three years of age, still has time to give a re-look to his future instead of using his energy to harass the girl, is a B.A. final year



student, solely on the ground that an undertaking is being given that he will not have any communication either with the girl and/or her family members, this Court is inclined to extend him the privilege of bail with conditions. If however, he acts contrary to the undertaking, the girl will have the liberty to take steps for the cancellation of his bail bond.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Patna, in connection with Patrakar Nagar P.S. Case No. 291 of 2023 subject to the following conditions:

(i) both the bailors should be the father and mother of the petitioner who shall provide official document to show their 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 fortnight for six months 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 have no connection either with the girl and/or her family members and if any such incident happens, the informant shall be free to take steps for cancellation of his bail bond.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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