

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60286 of 2022

Arising Out of PS. Case No.-514 Year-2022 Thana- GHOSI District- Jehanabad

=====

Ramadhar Singh, Son of Vanshlakhan Sharma @ Vanshlakhan Singh,
Resident of village - Govindpur, P.S.- Ghoshi Okri, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate
		Mr. Rabindra Kumar, Advocate
For the Opposite Party/s :		Mr. Syed Ehteshamuddin, APP

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-02-2023 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.

Heard Mr. Rama Kant Sharma, learned senior counsel duly assisted by Mr. Ravindra Kumar, learned counsel appearing on behalf of the petitioner and the learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Ghoshi (Okri) P.S. Case No. 514 of 2022 registered for the offences punishable under Sections 342, 354(B)/34 of the Indian Penal Code and Section 67(a) of the I.T. Act, 2000.

The prosecution case is based on the written report of the informant alleging therein that he received a confidential information that some persons have taken a girl in a lonely place



for illicit activities and while they were in objectionable condition, one person prepared a video clip and made it viral. After verification, the police apprehended the petitioner, who disclosed that some boys had brought the girl in the field with a view to outrage her modesty and while the girl was in objectionable condition, some person had made video and made it viral on social media.

Learned senior counsel appearing on behalf of the petitioner submits that from the FIR it is evident that there is no allegation against the petitioner that he was anyhow involved in outraging the modesty of the girl and in any way related with the boys. He further submits that till date the victim girl is traceless and her statement has not even been recorded which would certainly makes the entire matter clear with regard to the involvement of the petitioner. He also submits that other three co-accused persons who were found present at the place of occurrence and involved in outraging the modesty of the girl and who were identified in the video, they have been allowed anticipatory bail by the learned Court below, the copy of the order has been brought on record by way of Annexure 2 to this application. He next submits that save and except the confessional statement of the petitioner, there is no materials



suggesting the fact that he has committed any crime or outraged the modesty of the girl. He lastly submits that the petitioner is a man of 65 years old and he is in custody since 13.08.2022, and moreover, the investigation is already complete and charge-sheet has been submitted.

On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is also found involve in one another case apart from the fact that the petitioner has been identified in the video footage.

Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that till date the victim has not been traced out coupled with the period of custody, let the petitioner, named above, 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 Chief Judicial Magistrate, Jehanabad in connection with Ghoshi (Okri) P.S. Case No. 514 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the



trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

shivank/-

U		T	
---	--	---	--

