

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68462 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- AMDABAD District- Katihar

Sk. Badir @ Sk. Badir Alam @ Shekh Badir Alam, Son of Sk. Sukruddin @
Sukruddin Resident Of Village - Paschim Tola, P.S. - Amdabad, District -
Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Amdabad P.S. Case No. 157 of 2023, lodged on 15.06.2023
under Sections 341, 323, 420, 504, 506/34 of the Indian Penal
Code and u/s 67 of I.T. Act.

3. As per the prosecution case, the FIR has been
lodged against 2 named accused persons including the present
petitioner and the specific allegation is against the co-accused
Md. Imam who created obscene video of the informant and co-
accused Md. Imam with the help of the petitioner, created
hindrance in the marriage of the informant and upon query by
the informant's father, they abused and threatened to destroy



him as well as the life of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that as per the FIR, the petitioner is a major and the allegation of creation of video is upon co-accused namely Md. Imam and not against the present petitioner. He further submits that the antecedent of the petitioner is clean and he is in custody since 22.07.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Katihar in connection with Amdabad P.S. Case No. 157 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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 bonds by the Trial Court itself;

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

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

(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 the bail bonds.

(Dr. Anshuman, J.)

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