

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74621 of 2022

Arising Out of PS. Case No.-1 Year-2021 Thana- MAHILA P.S. District- Munger

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Dharmaraj @ Dharmraj Singh Son Of Manoj Kumar Sharma R/O Vill.-
Harpur, P.S.- Shahkund, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
11.10.2022 in connection with Mahila P.S. Case No. 01 of 2021,
F.I.R. dated 06.01.2021 for the offences punishable under
Sections 420, 504, 509, 448 of the Indian Penal Code.

According to prosecution case, in brief, is that the
informant namely, Nitu Kumari has alleged that she is a
constable in B.M.P. Dharamraj @ Dharamraj Singh was her
classmate he used to cheat the informant in garb of love affairs
and took cash from her. When she came to know that Dharamraj
is indulge in many criminal activities she denied from giving
cash to him and further allegation is that he has threaten to make
viral the private photographs of informant on social platform
and also sent her private photograph and later full of threaten



and abusive language at her house and her elder sister's house for which legal step is required.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that it appears from the F.I.R. that the allegation against the petitioner is that he has viral the private photographs of the informant on social media but the police has not lodge the case under the Information and Technology Act against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 11.10.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one but fairly submits that petitioner is on bail in both the cases as mentioned in Para-3 of the bail petition.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned S.D.J.M.,
Munger in connection with Mahila P.S. Case No. 01 of 2021,
subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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