

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14956 of 2024

Arising Out of PS. Case No.-28 Year-2022 Thana- SALIMPUR District- Patna

Saurav Kumar Gautam Son of Amit Kumar Resident of Village- Bidhipur,
P.S.- Salimpur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-04-2024 Heard Mr. Vijay Anand, learned counsel for the

petitioner and Mr. Kumar Veerendra Narayan, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Salimpur P.S. Case No. 28 of 2022, F.I.R. dated 20.02.2022 for the offences punishable under Sections 354(B), 354(C), 354(D), 504, 506 and 34 of the Indian Penal Code and Sections 66(E), 67 and 67(A) of Information Technology Act.

3. According to prosecution case, this petitioner has developed relationship with the informant on the pretext of love and marriage and also recorded her objectionable video and threatened her by making the said video viral on social media.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent 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 offences as alleged in the F.I.R. He further submits that nothing has come during investigation to suggest the involvement of the petitioner in the present crime in question and even the informant has not produce any video footage of the petitioner or audio clip of the conversation between the petitioner and the informant.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and nothing has come during investigation to suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate 1st Class, Barh in connection with Salimpur P.S. Case No. 28 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



i. 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.

ii. 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.

iii. 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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