

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18526 of 2024

Arising Out of PS. Case No.-236 Year-2023 Thana- VIJAYEPUR District- Gopalganj

Laukush Sahani @ Lavkush Sahani son of Late Manager Sahani Village-
Hakarpur Ps- Vijaipur Dist- gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the State : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2024 Heard Mr. Lokesh Kumar Singh, learned counsel
for the petitioner and Mr. Mithlesh Kumar Khare, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Vijaipur P.S. Case No. 236 of 2023, F.I.R. dated 11.08.2023 for the offences punishable under Sections 153(A), 504, 505 and 506 of the Indian Penal Code.

3. According to prosecution case, the informant received a viral video on Whatsapp of Government No. 9431822481, in which petitioner was making vulgar comments, abusing and threatening against a particular caste.

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 FIR is false and fabricated and without any scientific examination of the said viral video the petitioner has been made accused in the present case. He further submits that there is no scientific report available on the record which suggests that in the viral video the petitioner is abusing a particular caste.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 Additional Chief Judicial Magistrate XIV, Gopalganj in connection with Vijaipur P.S. Case No. 236 of 2023, 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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