

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4054 of 2025

Arising Out of PS. Case No.-374 Year-2022 Thana- CHHATAPUR District- Supaul

Md. Wasim Jakhmi @ Wasim Akram @ Osimakram @ Wasim Jakhmi @
Masim Akram @ Md. Wasim, Aged about 26 Years, Gender - Male, Son of
Late Md. Irfan, R/o Village- Kathara, Ward No 4, PS- Chhatapur, District-
Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Biwi Roshan Khatoon W/o Md. Shabbuddin R/o vill - Karhara, ward no. 11,
P.S. - Chhatapur, Distt.- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2025 Heard Mr. Pintu Kumar Patel, learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar,
learned APP for the State.

2. At the outset, learned counsel appearing on behalf
of the petitioner seeks to correct information contained in
paragraph no. 15 of the bail application, which has occurred due
to inadvertence, in course of the day.

3. Permission is accorded.

4. Petitioner seeks regular bail in connection with
Chhatapur P.S. Case No. 374 of 2022 registered for offences
punishable under Sections 341, 323, 324, 354 (B), 308, 379,
292, 504, 506/34 of the Indian Penal Code and Section 67(A) of
the Information Technology Act.



5. As per the allegation made in the FIR, the petitioner was involved in making obscene photograph of the daughter of the informant and uploading the same on social media.

6. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. It is admitted in the FIR that co-accused, namely, Safruddin Alam had uploaded the obscene photograph of the daughter of the informant taking aid of the mobile phone of his father, namely, Hashmuddin, who has already been released on regular bail by the learned District Court. Petitioner has clean antecedent and he is in custody since 22.10.2024. On these grounds, petitioner seeks to be released on bail.

7. Learned A.P.P., for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Considering the nature of allegation made in the FIR, as well as, the period of custody of the petitioner, who is in custody since 22.10.2024 and the petitioner has clean antecedent, the learned District Court is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Chief Judicial Magistrate V, Supaul or successor court, in connection with Chhatapur P.S. Case No. 374 of 2022 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Niraj/-

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

