

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62266 of 2024

Arising Out of PS. Case No.-347 Year-2023 Thana- TARAIYA District- Saran

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Dharmendra Kumar Son of Chhathu Rai Resident of Village - Sareya
Ratnakar, P.S. - Taraiyan, District - Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 22-01-2025 Heard the parties.

2. The petitioner is in custody in connection with Taraiya P.S. Case No. 347 of 2023 for the offence under Sections 341, 323, 324, 307, 504, 506 and 34 of the I.P.C. and Section 67 of the I.T. Act lodged on 26.10.2023 by the informant, Rajesh Rai.

3. As per the prosecution story, the informant alleged that Raju Kumar created indecent photos of his daughter included song in it and made the said photos viral through the mobile of Sonu Kumar on the Facebook site. Upon knowledge, when he was confronted, allegation is that along with other accused persons firstly, the informant was abused and then Raju Kumar gave knife blow to him, causing injury. The further allegation against other accused is also of assaulting his brother



in law, Praduman Kumar. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that there is a case and counter case and though the allegation of assault is there against the petitioner, the injury is simple in nature, he has remained in custody since 01.07.2024. The last submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer for bail submitting that he gave a knife blow to Praduman Kumar in the stomach.

6. Considering the submissions of the parties as also that there is case and counter case, the petitioner do not have criminal antecedent, the injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M. 1st Saran at Chapra in connection with Taraiya P.S. Case No. 347 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

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

(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 his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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