

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2855 of 2016

Arising Out of PS.Case No. -60 Year- 2015 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

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1. Dharmveer Kumar, son of Rajendra Prasad, Resident of Village-
Chandrabigha, P.S.- Ben, District- Nalanda..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary

For the Opposite Party/s : Mr. Dasrath Mehta (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 15-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Nalanda P.S. Case
No. 60 of 2015 registered for the offences punishable under Sections
147, 149, 341, 323, 307, 435, 436, 506 of the Indian Penal Code in
which Section 302 of the Indian Penal Code was added subsequently.

Allegedly, the husband of the informant running a DPS
school at village Mirpur was assaulted by fist and lathi by FIR named
four accused persons and 500 unknown, resulting, the husband of the
informant died and further the miscreants destroyed the school and
damaged the vehicle also.

Submission is of false implication and that the petitioner
has got no criminal antecedent, he has been made victim of
circumstances, the petitioner is not named in the first information report
and only on the basis of alleged footage of CCTV the petitioner and
others have been implicated in this case, other co-accused Ajay Kumar,

Sanosh Kumar, Sita Ram Prasad and Dev Narayan Prasad have been allowed bail and as such the petitioner also deserves sympathetic consideration as he is suffering in custody since 01.07.2015 and chargesheet has already been submitted.

Learned APP fairly submits that against the petitioner there is no specific allegation.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Nalanda at Biharsharif in connection with Nalanda P.S. Case No. 60 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

avin/-

(Jitendra Mohan Sharma, J)

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