

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50549 of 2016

Arising Out of PS.Case No. -404 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

=====

DHANJEE SINGH @ LAW KUMAR @ LAW KUMAR SINGH, Son of
Ram Pravesh Singh @ Budha Singh, Resident of Village-Naran, P.S
Baghaila, P.S. Sasaram (Muffasil), District Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate
Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-12-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in custody since
26.05.2016 in connection with Sasaram Nagar (Muffasil) P.S.
Case No. 404/16 for offences punishable under Section 302/34 of
the Indian Penal Code and Section 27 of the Arms Act.

Allegation is that all the accused persons killed
the younger brother of the informant Manohar Choudhary and
severely injured one Kali Charan. They also assaulted one Vijay
Choudhary.

It has been submitted by the learned counsel for
the petitioner that he is innocent, not named in the First



Information Report and has falsely been implicated in the aforesaid case as nothing incriminating has been recovered from his conscious and physical possession. It is submitted that his complicity in the aforesaid offence has surfaced on the basis of statement of some of the witnesses in paragraphs 7 and 20 of the case diary, who are not the eye-witnesses. It is further submitted that even the confessional statement of the petitioner in paragraph 25 does not implicate him, rather the shooter was some other person and just because petitioner is accused in eight more cases he has been made accused. It has further been submitted that there is only one case against him of 2016 and all cases are prior to 2011. It is also submitted that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that as many as eight cases are pending against the petitioner, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and the submission of the parties and that charge-sheet has already been submitted against the petitioner, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram Nagar (Muffasil) P.S. Case No. 404/16, subject to the condition that one of the bailors must be close relative of the petitioner and the other bailor must have sufficient immovable property within the jurisdiction of the concerned police station and that petitioner will appear before the learned court below during trial on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds and that if the petitioner indulges in an offence of similar nature, the learned court below will be at liberty to cancel his bail bonds without being prejudiced with this order.

This direction of bail is further subject to the condition that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

With these observations and directions, the application stands allowed.

(Nilu Agrawal, J.)

Rajesh/-

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

