

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 49295 of 2017

Arising Out of PS.Case No. -49 Year- 2017 Thana -BACHWARA District- BEGUSARAI

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Dhananjay Ishwar S/o Ram Sewak Ishwar, R/o Village- Bharaul, P.S.-
Bachwara, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Abhay Kumar, Advocate

For the S t a t e : Mr Jagdhar Prasad, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 17-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered under
Sections 302, 307/34 of Indian Penal Code and Section 27 of
Arms Act.

First information report has been lodged against
unknown persons alleging that the informant along with Vijay
Kumar Ishwar were indiscriminately fired upon by some five
criminals riding on two motorcycles as a result of which both of
them were badly injured. Submission is made on behalf of the
petitioner that he has been implicated in this case on the basis of
confessional statement of co-accused Nepali Kunwar @ Kundan
Kunwar. Further submission is that there is no material against



the petitioner in the case diary except the said confessional statement. It is also submitted that the instant petitioner has been implicated in various other cases by the same person, details of which have been mentioned in paragraph 3 of the instant petition. It is also submitted that application for bail in some of the said cases are still pending consideration.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Judge VIII –cum- Additional Chief Judicial Magistrate VI, Begusarai in Bachwara Police Station Case No 49 of 2017 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and, thereafter, the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iii) That the petitioner will



give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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