

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28577 of 2018

Arising Out of PS.Case No. -166 Year- 2012 Thana -NABINAGAR District- AURANGABAD

=====

Dhanajay Singh son of Sri Ram Raj Singh @ Ram Das Singh, Resident of
Village Gosaidih, P.S. Nabinagar, Distt. Aurangabad (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Nabinagar P.S.
Case No. 166 of 2012 for offences punishable under Sections 427,
506, 447 and 124(A) of the Indian Penal Code and Section 17 of
the CLA Act.

The prosecution case, as lodged by the informant is that
15-20 persons entered into a liquor shop and broke bottles and
created panic in the market area and threatened to close the shop.
They left a *purcha* containing threat by MCC group.

It has been submitted by the learned counsel for the
petitioner that petitioner is not named in the F.I.R. No overt act
has been committed by him and he is not even a member of the
MCC. During investigation, petitioner is alleged to be area



commander of the said group. He submits that his extra judicial confessional statement was taken by the police in another case, which has no evidentiary value in the eye of law. He further submits that some of the co-accused has been granted the privilege of bail by co-ordinate Bench of this Court vide order dated 26.04.2016 passed in Cri. Misc. No. 16346 of 2016.

However, learned APP for the State opposes the prayer for bail stating therein that four more cases of similar nature are pending against him and the petitioner is alleged to be the area commander of the said MCC Group.

Considering the facts and circumstances and materials available on record let the petitioner, above named, be enlarged on bail **on completion of four months in custody** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Aurangabad in connection with Nabinagar P.S. Case No. 166 of 2012 with the following conditions:

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) Petitioner will appear before the learned court



below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

sushma/-

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

