

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27853 of 2019

Arising Out of PS. Case No.-66 Year-2016 Thana- KOILWAR District- Bhojpur

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DHARMNATH RAI @ GAN Son of Ram Poojan Rai @ Ram Pujan Ray
Resident of Village-Semaria, Police Station-Koilwar, District-Bhojpur
(Arrah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandan Kumar Verma

For the Opposite Party/s : Mr.Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 399, 402 IPC and Section 25(1-b)a/26/35 of the Arms Act registered in connection with Koilwar P.S. Case No. 66 of 2016.

3. It is submitted that the petitioner has been falsely implicated merely on suspicion and on the extra judicial confessional statement of co-accused Manoj Yadav, except which there is no objective material to connect the petitioner with the alleged occurrence. No recovery has been made from the house of the petitioner. Similarly situated co-accused Manoj Yadav and Shambhu Pandey have been granted bail by this Court in Cr. Misc. No. 23008 of 2016. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Bhojpur at Arrah, in connection with Koilwar P.S. Case No. 66 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and



also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

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