

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31263 of 2020**

Arising Out of PS. Case No.-13 Year-2019 Thana- KAMTAUL District- Darbhanga

Dharambir Kumar @ Dharambir Yadav S/o Krishnadeo Yadav R/o Vill.-
Dudhiya, P.S.-Kamtaul, Distt.-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kanhaiya Pd. Singh, Sr.Adv. Mr. Birendra Kumar Singh
For the Opposite Party/s	:	Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 05-12-2020 Heard learned counsel for the parties through video conferencing.

This is the 3rd attempt for grant of bail on behalf of petitioner. Earlier twice, the prayer for bail of petitioner was rejected by this Court on the ground of criminal antecedent of the petitioner, since altogether five criminal cases were pending against him.

It is submitted by learned senior counsel for the petitioner that with regard to criminal antecedent of the petitioner, actual fact could not be explained properly before this Court on the last occasion. Though, petitioner had criminal



antecedent and he was accused in five case, but out of five cases, in four cases, he was already acquitted and in one case, he is on police bail, which fact has been stated in paragraph – 3 of the petition. So far as merit of the case is concerned, it is submitted that initially, petitioner was not named in the F.I.R. but later on, after the death of deceased, petitioner has been made accused by the informant on account of old enmity and old litigation between the parties. There is general and omnibus allegation. Petitioner is languishing in jail since 21-01-2019. Some of the similarly situated co-accused persons have already been granted bail by this Court, vide order/judgment dated 04-12-2019 passed in Cr.Misc. No. 44536 of 2019 (Madan Yadav and Annol Yadav) and order dated 25-02-2020 passed in Cr.Misc. No. 3211 of 2020 (Jaimal Yadav @ Jaimol Yadav) (Annexure 6 series).

Considering the aforesaid facts and circumstances as well as considering the nature of allegation and period of custody, the bail application of petitioner is allowed. Let the above-named petitioner be released 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 Additional Sessions Judge, VIth, Darbhanga in connection with S.T. No. 256 of



2019, arising out of Kamtaul P.S. Case No. 13 of 2019, on condition that *petitioner will cooperate in disposal of trial and make himself available as and when required by the court below, failing which, the prosecution shall move for cancellation of his bail-bonds.*

(Prabhat Kumar Singh, J.)

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