

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64040 of 2019**

Arising Out of PS. Case No.-181 Year-2017 Thana- ROSHANGANJ District- Gaya

Dhananjai Das, S/o Late Chalitar Das, R/o village- Jai Bigha, P.S.- Gurua,
District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 23-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Bankey Bazar P.S. Case No. 181 of 2017 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 506, 379, 435, 427 of the Indian Penal Code and Section 17 of C.L.A. Act.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. and name of the petitioner has transpired in the confessional statement of the co-accused Sunil Kumar and save and except that confessional statement recorded by police there is no material against the petitioner. The petitioner is in custody since



27.03.2018.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that the petitioner is not named in the FIR but his name has transpired in the confessional statement of the co-accused Sunil Kumar and save and except that confessional statement recorded by police there is no material against the petitioner, he is in custody in connection with this case since 27.03.2018 and there being general and omnibus kind of allegations in the FIR and no identification of the petitioner during all these periods though this Court finds that the petitioner has got criminal antecedent but there being no material shown to this Court in course of argument and there being no submission that the release of the petitioner on bail is likely to interfere with the course of trial, this Court directs release of the petitioner above named on bail in connection with Bankey Bazar P.S. Case No. 181 of 2017 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghati, Gaya, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :



(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that in course of trial the petitioner shall put his appearance on each and every date and two consecutive failures to attend the trial would lead to cancellation of bail of the petitioner and in case the petitioner is found involved in other case of similar nature the Investigating Officer shall take step for cancellation of bail in the present case.

This application stands disposed off.

(Rajeev Ranjan Prasad, J)

vats/ved

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