

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20260 of 2021**

Arising Out of PS. Case No.-12 Year-2016 Thana- TEKARI District- Gaya

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BINAY DAS @ RAMVINAY DAS @ SUDHAKAR @ NATVOLT @
RANJEET Son of Late Ratan Das Resident of Village- Malhad, P.S.-
Bandeya, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Manisha Prakash

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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

2 13-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Tekari P.S. Case No. 12 of

2016, registered for the offence punishable under Sections 144,

452, 384, 386, 387 and 506 of the Indian Penal Code and

section 17 of the CLA of Act.

As per the prosecution case, 9 accused persons armed

with weapons attacked the camp site of the construction firm,

where petitioner along with others were working and physically

assaulted them. It is further alleged that they also demanded

levy in lieu of permission to carry out construction. They also



threatened informant and others that if contractor does not pay, the they will kill them.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR and he has been made accused in this case by the local Mukhiya due to political rivalry. There is no material which shows involvement of this petitioner in the alleged occurrence. Petitioner is in custody since 23.10.2019. In para 3 it is stated that petitioner is accused in three more cases, but in all those cases he is on bail.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist Class IXth, Gaya in connection with Tekari P.S. Case No. 12 of 2016, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.



(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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