

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33076 of 2021

Arising Out of PS. Case No.-22 Year-2014 Thana- BUNIYAD GANJ District- Gaya

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VIJAY DAS SON OF CHALITAR DAS R/O VILLAGE- BARAHI BIGHA,
P.S.- CHAKAND, DISTRICT- GAYA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nagendra Sharma, Adv

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-10-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 364, 504 and 34 of the IPC.

Allegation as per FIR is that twenty person including the petitioner assaulted the informant and others and abducted Dinesh Das, neighbour of the Informant.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in this case due to animosity. There is no specific allegation against the petitioner rather there is general and omnibus allegation against him. It has further been submitted that at the time of alleged occurrence, he was at Dhanbad in Das Seva Sadan, where he is working as Dresser. Working Certificate in this regard has been annexed as Annexure-2. Similarly situated co-accused persons have been

granted bail by co-ordinate benches of this Court vide orders dated 19.01.2015 passed in Criminal Miscellaneous No. 33878 of 2014. By order dated 22.06.2015 passed in Criminal Miscellaneous No. 6618 of 2015 learned Judge has observed that informant in his re-statement has specifically stated that Dinesh Das was abducted by Subhas Das and Birbal Paswan. Petitioner has got no criminal antecedent and is in custody since 22.12.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Buniyad Ganj P.S. Case No. 22 of 2014**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, where one of the bailor will be the father of the petitioner.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

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