

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38790 of 2021

Arising Out of PS. Case No.-42 Year-2020 Thana- KARAKAT District- Rohtas

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DHANJI PASWAN S/O SARVAJIT PASWAN R/o village- Dahiyari, P.S.-
Karakat, District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Karakat P.S. Case No. 42 of 2020 registered for the offence under Sections 147, 149, 341, 323, 307, 379 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is said to have instigated his associates for assaulting the informant resultantly, one Pankaj Paswan gave a sword blow on the head of the informant as a result of which he sustained injury and fell



down.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, there is general and omnibus allegation against the petitioner and no specific allegation of overt act is attributed to him. As a matter of fact, this case is a counter blast of Rohtash SC/ST-P.S. Case No. 27 of 2020. Moreover, the co-accused, Ramjeet Paswan, having more or less allegation, has been granted bail by this Court vide order dated 09.12.2021 passed in Cr. Misc. No. 38445 of 2021. The petitioner is rotting in judicial custody since 09.12.2020.

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

Considering the facts and circumstances of the case, 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-III, Rohtas in connection with Karakat P.S. Case No. 42 of 2020 with the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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