

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4930 of 2021

Arising Out of PS. Case No.-122 Year-2020 Thana- SAKRA District- Muzaffarpur

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DHARMENDRA KUMAR SON OF RAJKUMAR RAY Resident of Village -
Dholi, P.S.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner seeks bail in Sakra P.S. Case No. 122
of 2020 registered for the offences punishable under Sections
341/323/308/504/506/379/34 of the Indian Penal Code.

As per the prosecution case, on 01.04.2020 at 07:00
p.m. while the informant, who is a veterinary doctor, was going
to treat some animals and reached near Rani More, this
petitioner along with co-accused Avinash Kumar stopped him
and started assaulting him and on protest, they inflicted knife
blow upon the informant and caused injury in his leg. It is
further alleged that on the point of pistol, they also snatched
some cash and other belongings and mobile phone.

It is submitted on behalf of the petitioner that the



alleged occurrence is said to have taken place on 01.04.2020, but the F.I.R. has been lodged on 04.04.2020 without there being any plausible explanation. It is further submitted that, from perusal of the F.I.R., it is apparent that there is general and omnibus allegation and no specific allegation of overt-act has been alleged against this petitioner. Chargesheet has already been submitted in this case. Petitioner has been remanded in this case on 12.06.2020.

Considering the delay in lodging of F.I.R. and there is general and omnibus allegation against this petitioner and also taking into consideration the period of custody, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned A.C.J.M., 4th, Muzaffarpur, in connection with Sakra P.S. Case No. 122 of 2020, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be



cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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