

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2898 of 2022

Arising Out of PS. Case No.-12 Year-2021 Thana- BAKHTIYARPUR District- Patna

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DHARAMPAL DAS @ PUTTU DAS Son of Bijendra Das @ Bijendra
Mochi Resident of Village - Rabaich (Simiri), P.S. - Bakhtiyarpur, District -
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-06-2022 Heard learned counsel for the petitioner and the

State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Sections 147, 341, 323, 325 and
308 of the Indian Penal Code.

Allegedly, this petitioner and co-accused persons
assaulted the informant by means of *lathi* and *danta*.

The main submissions advanced by the learned
counsel for the petitioner are that on the person of the informant
only three injuries were found by the doctor concerned vide
annexure 4 while as per allegation made in the FIR, 9 persons
including the petitioner are alleged to have assaulted the
informant and one co-accused Satendra Das @ Satendra Kumar



carrying similar allegation has been granted anticipatory bail by a bench of this court vide order dated 21.12.2021 passed in Cr. Misc. no. 32284 of 2021 and other co-accused Jitendra Das has been granted regular bail by a bench of this court vide order dated 14.9.2021 passed in Cr. Misc. no. 35223 of 2021 and the present petitioner has been languishing in jail since 3.9.2021 having clean antecedent.

Learned APP opposes the prayer for bail.

Having considered the above submissions, petitioner's case being similar to co-accused persons who are on bail, there is no specific allegation against the petitioner and as per para 3 of the petition, petitioner has got no criminal antecedent, let the 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 the Addl. Chief Judicial Magistrate III, Barh in Bakhtiyarpur Police Station Case No. 12 of 2021 on 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 below and shall remain physically present as directed by the Court below and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled 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.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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