

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24502 of 2021

Arising Out of PS. Case No.-33 Year-2020 Thana- NAURANGIA District- West Champaran

Sukhal Dhangar Son Of Late Pahun Dhangar Resident Of Village- Belarawa,
Police Station- Naurangia, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary,Adv

For the Opposite Party/s : Mr.Aditya Narayan Singh.1,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-01-2022 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 in virtual Court proceeding.

The petitioner seeks bail in connection with Naurangia P.S.Case No. 33 of 2020 registered for the offence under Sections 302/34 of the Indian Penal Code.

The prosecution case in short is that the informant, namely, Gayatri Devi filed a written application before the S.H.O. that her husband died on 13.05.2020. Before the death of her husband on 08.05.2020 at about 5.00 PM several co-accused persons including the petitioner had assaulted her husband by Lathi and Danda by saying him as made. In lack of money she



was making the treatment of her husband on his house but her husband could not become well. Ultimately husband of the informant was died on 13.05.2020 due to serious injury of her husband.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR itself that there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that no specific averment is in the FIR against the petitioner. Petitioner is in custody since 08.10.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner on the basis of the case diary.

Considering the aforesaid facts and period of custody, let the petitioner, above named, 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 Chief Judicial Magistrate 1st, Bagaha, West Champaran in connection with Naurangia P.S.Case No. 33 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 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.

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)

Nitesh/-

U		T	
---	--	---	--

