

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9888 of 2022

Arising Out of PS. Case No.-305 Year-2021 Thana- GHOSI District- Jehanabad

DINANATH KENEDI Son of Late Sadhu Sharan Prasad Resident of Village-
Pirogha, P.S.- Ghoshi, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar No.1, Adv

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-06-2022 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, learned counsel for the informant and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 324, 325, 307, 354, 504, 506 and 34 of IPC and Section 27 of Arms Act.

The informant along with his family members are subjected to brutal assault by means of deadly weapons by the petitioner and his associates as a result thereof they have sustained serious injuries.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present



case. He further submits that it appears from the FIR that the allegation against the petitioner is that he assaulted the sister of the informant and also opened fire. He further submits that the independent witnesses, namely, Krishandeo Kumar, Babuchand Prasad, have been examined and they did not support the allegation as alleged in the FIR. He further submits that there is admitted land dispute between the parties and the similarly situated co-accused, namely, Arjun Prasad, Ravi Ranjan Kumar and Chandan Kumar have been granted bail vide order dated 26.04.2022 in Cr. Misc. No.71555 of 2021 by this Court and the petitioner is in custody since 01.11.2021.

Learned counsel for the informant as well as learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant submits that the trial is going on and as per instruction altogether four witnesses have been examined till 24.03.2022. He further submits that the petitioner carries one more case other than the present one.

Considering the aforesaid facts, 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 Court below where the case



is pending in connection with Ghosi(Okari) P.S. Case No. 305 of 2021, 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	
---	--	---	--

