

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15089 of 2022

Arising Out of PS. Case No.-285 Year-2021 Thana- MOKAMAH District- Patna

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Ram Dayal Bind @ Ram Dayal Mahto Son Of Sharwan Bind R/O Village-
Barahpur, Bind Toli, Ward No.-2, P.S.- Mokama, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 08-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Mokama P.S. Case No. 285 of 2021, registered for the

offences punishable under Sections 406, 419, 420, 467,

468/34 of IPC; Sections 53 and 37 of the Disaster

Management Act, 2005; and Section 7 of the E.C. Act.

Prosecution story in brief is that the petitioner

along with his associates have got thumb impressions of

more than 250 farmers on POS Machine for giving Rs.

6000/- for the flood relief but they used these thumb

impressions for grabbing urea in their name.



The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that he is an employee of accused Amit Kumar and he has got thumb impressions of the villagers on the direction of said Amit Kumar. He further submits that he has been languishing in jail since 12.10.2021. He further submits that investigation in the case has been concluded and charge-sheet has already been submitted.

It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Court for grant of anticipatory or regular bail.

It has further been stated in paragraph no. 3 of the petition that the petitioner has been made accused in on more case, namely, Mokama P.S. Case 178 of 2016.

However, the learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances, particularly the period of custody, the petitioner, above-named, is directed to be released on bail on his furnishing



bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Barh, Patna in connection with Mokama P.S. Case No. 285 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal



antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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