

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24169 of 2022

Arising Out of PS. Case No.-311 Year-2020 Thana- DARIYAPUR District- Saran

MAJNU RAI @ DULAR CHAND RAI SON OF DHARAM NATH RAI
R/O- VILLAGE-RAJHI, P.S.- DERNI, DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 18-10-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Dariyapur P.S. Case No. 311 of 2020 registered for the offences punishable under Sections 147, 149, 341, 323, 354, 504 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, there is allegation that petitioner alongwith others made indecent behaviour with the ladies. It is also alleged that petitioner and others made firing through country made katta as a result of which Bija Nandan Ray sustained injury in the left leg.

Learned counsel for the petitioner submits that



petitioner is in custody since 27.01.2022. Learned counsel through supplementary affidavit submits that petitioner bears criminal antecedent of four cases which is not similar to the present case. He further submits that there is no specific allegation against the petitioner. Allegations are of general and omnibus in nature. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, as submitted, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Dariyapur P.S. Case No. 311 of 2020, subject to following conditions:-

- (i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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