

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36950 of 2022

Arising Out of PS. Case No.-259 Year-2022 Thana- DAUDNAGAR District- Aurangabad

DHARMENDRA KUMAR Son of Sudarshan Singh, Resident of Village-
Pathor Kati, P.S.- Daudnagar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Kumar, Advocate Mr. Sunil Kumar Dubey, Advocate
For the Opposite Party/s	:	Ms. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Daudnagar P.S. Case No. 259 of 2022 lodged under Sections
384, 419, 420, 467, 468, 474 and 120(B) of Indian Penal Code.

As per prosecution story, the allegation against the
petitioner and other 3 unknown accused persons to extorting
money in the name of checking pollution certificate. Upon
demand, the said document has not been produced before the
informant who is the SHO, Daudnagar, as a result the present
case has been filed.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Learned counsel further submits that petitioner is a valid license holder to test petrol and diesel both vehicles within the jurisdiction of Aurangabad issued from District Transport Officer, Aurangabad which is valid from 28.04.2021 to 27.04.2023. Learned counsel further submits that petitioner is in custody since 18.05.2022 and charge sheet has already been filed in this case having one criminal antecedent in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above that petitioner is a valid license holder for Pollution Testing Station, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 259 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall

appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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