

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37288 of 2022

Arising Out of PS. Case No.-95 Year-2022 Thana- LAXMIPUR District- Jamui

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Dhiraj Kumar Son of Fudo Ram R/o Village- Gangra, P.S.- Gidhaur
(Laxamipur), Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : Ms. Sharda Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-09-2022 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
Laxamipur P.S. Case No. 95 of 2022, lodged under Sections
341, 323, 324, 307, 504/34 of the Indian Penal Code.

As per the prosecution case, the allegation of firing by
pistol on the father of informant by 4 unknown criminals is
there in the F.I.R.

Learned counsel for the petitioner submits that the
present case has been filed against unknown accused persons,
name of petitioner has figured in this case by virtue of
confessional statement of co-accused. He further submits that

from the contents of F.I.R., it transpires that the informant and his father claim that they can identify the accused persons and even after the undertaking of informant and his father to identify the accused, petitioner has not been put on TIP till date. He further submits that the petitioner is in custody since 05.04.2022 and charge sheet has already been filed in this case. On the point of criminal antecedent, learned counsel for the petitioner submits that there are in total 5 criminal cases pending against the petitioner in which he is on bail in all the cases. He further submits that petitioner is ready to fulfill all the conditions whatsoever, shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, 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 Judicial Magistrate-Ist Class, Jamui in connection with Laxamipur P.S. Case No. 95 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 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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