

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47814 of 2022

Arising Out of PS. Case No.-137 Year-2021 Thana- BANKA District- Banka

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Dhurkheli Das @ Dhurendra Das Son of Gunnu Das R/V- Maheshadih, P.S-
Banka, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 24-11-2022 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
Banka P.S. Case No. 137 of 2021 lodged under Sections 324,
147, 307, 386 of the I.P.C. read with Section 3/4 of Explosive
Substance Act.

As per the prosecution case, the petitioner along with
other co-accused persons were collecting extortion money from
truck driver. It has been further alleged that a protest was made
by the truck driver upon which the co-accused persons with
petitioner have exploded bomb with a view to create panic and
driver sustained some injury.

Learned counsel for the petitioner submits that a case bearing SC/ST Case No. 08 of 2021 has been filed against the informant for making demand of money in the name of *chanda* and also abuse him by calling his caste name. The present case is the counter of last case of SC/ST Case No. 08 of 2021. Learned counsel submits that petitioner has 2 criminal cases pending against him in which he is on bail. Learned counsel further submits that he is in custody since 19.06.2022. Charge sheet has already been filed. Learned counsel further submits that there were 2 petitioners who preferred anticipatory bail but due to arrest of present petitioner, his anticipatory bail application was withdrawn and the co-accused has been granted bail by the Co-ordinate Bench vide order dated 14.07.2022 passed in Cr. Misc. No. 66295 of 2021.

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 Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 137 of 2021, 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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