

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1601 of 2022

Arising Out of PS. Case No.-471 Year-2021 Thana- HILSA District- Nalanda

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DHANANJAY KUMAR @ SAMMI Son of Shivnandan Prasad Resident of
Village - Mai, P.s. - Hilsa, District - Nalanda.

... .. Petitioner

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Jayram Sharma, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-03-2022 Heard learned counsel appearing on behalf of the

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

Let the defect(s) be removed within two weeks of the

complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with

Hilsa P.S. Case No. 471 of 2021, for the offence punishable

under Section 341, 323, 504, 354(A), 353 & 308/34 of the

Indian Penal Code.

The prosecution case, in brief, is that the F.I.R. has

been lodged by one Assistant Engineer alleging that while she

along with one Maskur Alam, Junior Engineer, were inspecting

work in connection with Scheme No. 33 of 2020-21, the

petitioner and his son came there and started abusive languages

against them. They assaulted the informant and the Junior

Engineer and both sustained injury. In the meantime, local people



intervened and their lives were saved.

Learned counsel appearing on behalf of the petitioner submits that, in fact, no such occurrence took place. The petitioner has been roped in the present case due to non-fulfillment of illegal demand of money made by the informant. He submits that the injury sustained by the Junior Engineer is simple in nature as would appear from injury report (Annexure-3) with respect to the informant as well as the Junior Engineer, the injury is simple in nature. He further submits that petitioner is a contractor, the informant has lodged the present case because the petitioner has recorded the conversation regarding demand made from the petitioner. In paragraph No.14 of the bail application the petitioner has brought on record several cases, which are pending against the Junior Engineer Maskur Alam to show this Court that both the officers are corrupt and they harass the contractors by extorting money as commission. The petitioner is in custody since 19.11.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case and nature of allegation made in the F.I.R. period of custody without going into the merits of the case in view of the fact that the trial is not going to be concluded in



near future and period of custody undergone by the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-I, Hilsa (Nalanda) in connection with Hilsa P.S. Case No. 471 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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