

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1662 of 2022

Arising Out of PS. Case No.-263 Year-2021 Thana- HARNAUT District- Nalanda

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DHARMENDRA KUMAR S/o Baghirath Yadav @ Baghirath Prasad
Resident of Village- Rasbag, P.S.- Belchi, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
		Mr. Satya Prakash, Adv.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 364, 395 and 412 of the Indian Penal
Code.

Allegedly five unidentified persons looted the
informant's vehicle loaded with four buffaloes and Rs. 10,000/-
cash and four mobile phones from the possession of informant
and his companions.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the petitioner has not been named in the F.I.R. but merely on the
basis of confessional statement of the co-accused, Ranvijay



Mahto, he has been made accused in this case. In fact, nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that similarly situated co-accused, namely, Ranjit Kumar has already been granted bail by this Court vide order dated 24.08.2021 passed in Cr. Misc. No. 6772 of 2021 and another co-accused, Sukesh Kumar has also been granted bail by a co-ordinate Bench of this Court vide order dated 13.07.2022 passed in Cr. Misc. No. 14291 of 2022. The petitioner is rotting in judicial custody since 28.06.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.T. No. 608 of 2021 arising out of Harnaut P.S. Case No. 263 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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