

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15936 of 2023

Arising Out of PS. Case No.-678 Year-2021 Thana- ARA NAGAR District- Bhojpur

Dhanjee Yadav S/O Lal Bahadur Yadav @ Lal Bahadur Singh R/v- Shital
Tola, P.S.- Ara Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Deo Singh, Adv. Mr. Shankar Kumar, Adv.
For the Opposite Party/s	:	Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 29-03-2023 Heard Mr. Vikram Deo Singh, learned counsel for the
petitioner and Mr. Ram Sumiran Rai, learned APP for the State.

By filing the present application, the petitioner has renewed his prayer for bail, who is in custody in connection with Sessions Trial No. 190 of 2022 arising out of Ara (Town) P.S. Case No. 678 of 2021 registered for the offences punishable under Sections 302/34 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

Earlier, the prayer for bail of the petitioner was rejected by this Court vide order dated 20.09.2022 passed in Cr. Misc. No. 17588 of 2022 after taking into consideration the multiple criminal antecedents of the petitioner, apart from other materials available on record. However, while refusing the



prayer for bail, liberty was granted to the petitioner to renew his prayer for bail after framing of charge.

A supplementary affidavit has been filed bringing on record the order framing charge dated 22.12.2022.

It appears from the order-sheet that now the charges have been framed against the petitioner and other co-accused persons.

Learned counsel for the petitioner submits that save and except the allegation that the petitioner being one of the conspirators hatched a plan and on the basis thereof, the murder of the deceased took place, while the petitioner was inside the jail, there is no material. He further submits that except the aforesaid allegation collected during the course of investigation, there is no cogent material showing any active participation of the petitioner.

On the other hand, learned counsel for the State opposed the bail application and submits that the petitioner is a habitual offender carrying eleven other criminal cases over his head.

Regard being had to the submissions made on behalf of the parties and considering the observation made by this Court and the fact that the charges have already been framed, let



the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-XVII, Bhojpur, Ara in connection with Sessions Trial No. 190 of 2022 arising out of Ara (Town) P.S. Case No. 678 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

rohit/-

U		T	
---	--	---	--

