

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28972 of 2023

In
CRIMINAL MISCELLANEOUS No.16349 of 2006

Arising Out of PS. Case No.-286 Year-2005 Thana- DEHRI TOWN District- Rohtas

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Dhananjay Kumar @ Satendra Kumar @ Mantu Kumar @ Dhanji Kumar Son
of Ashok Singh R/V- Dalmianagar, Chaudhary Chowk, PS- Dehri Dist-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 18-08-2023 Heard Mr. Javed Aslam, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

The petitioner is in judicial custody in connection
with S.Tr. No. 191 of 2007 arising out of Dehri (Town) P.S.
Case No. 286 of 2005 for the offence punishable under Sections
392 of the Indian Penal Code and later the said section was
converted into section 395 of the Indian Penal Code lodged
on 18.12.2005 by the informant, Anurag Mahajan.

The prosecution story, in brief, is that while the
informant was returning home after playing badminton was
followed by the accused persons and on the point of country



made pistol, took away his motorcycle and escaped. Accordingly, the FIR.

The petitioner was an accused in the case, went into judicial custody, out on bail and as he failed to appear before the trial Court, his bail bond was cancelled.

It is the case of the petitioner that he was in jail in connection with Kamleshwar P.S. Case No. 15 of 2015 under sections 395, 397, 398 & 120B of the IPC and once the trial Court conducted the trial, convicted, completed his sentence, came out, only to know about cancellation of his bail bond, immediately, he surrendered and is in custody since 30.6.2022 (para-14 of the petition).

Taking into account the aforesaid facts, this Court is inclined to extend him the privilege of bail with condition that he will be diligently appearing in the trial without fail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned IIIrd Additional District and Sessions Judge, Rohtas at Sasaram, in connection with S.Tr. No. 191 of 2007 arising out of Dehri (Town) P.S. Case No. 286 of 2005 subject to the following conditions:

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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