

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29910 of 2023

Arising Out of PS. Case No.-60 Year-2021 Thana- BHADAUR District- Patna

PRANAV KUMAR @ DHIRAJ KUMAR S/O SHRI ANIL PRASAD @
ANIL PRASAD SINGH R/O Village- Pandarak, P.S- Pandarak, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Akshay Ashish, Advocate Mr. Lakshmi Kant Mishra, Advocate Mr. Rajesh Kumar
For the Opposite Party/s :		Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 28-06-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Sessions Trial No. 364 of 2023, arising out of Bhadaur P. S. Case No. 60 of 2021, registered for the offences punishable under Sections 147, 148, 149, 448, 324, 326, 307, 120B and 504 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

Ld. counsel for the petitioner submits that the petitioner had moved this Court earlier for regular bail *vide* Cr. Misc. No. 29603 of 2022 and other analogous cases,



which were rejected by this Court with an observation that the petitioner may renew his prayer for bail after recording of deposition of the alleged victim-informant in the trial.

Ld. counsel for the petitioner has moved this application submitting that despite the fact that investigation in this case is complete and charge-sheet has been submitted on 29.12.2021, till date even charge has not been framed, let alone deposition of any witnesses. He further submits that the case was committed to the Court of Special Judge MLA/MP on 17.10.2022.

Considering the aforesaid facts and circumstances, particularly the nature of allegation, period of custody and progress of trial, this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Special Judge, MLA/MP, Patna, in connection with Sessions Trial No. 364 of 2023, arising out of Bhadaur P. S. Case No. 60 of 2021, on the following conditions:



(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the



petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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