

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29739 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- PARBATTa District- Bhagalpur

DAYANAND PRASAD @ PANDIJEE @ BABAJEE Son of Krishna Mohan
Prasad Resident of Mohalla - Chandrapuri Tarnari, P.S.- Chandrapur, District -
Bokaro (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Parbatta P.S. Case No. 14 of 2023 registered for the offences
punishable under Sections 420 and 120 (B) of the IPC and
Section 4, 5 and 6 of Immoral Traffic Prevention Act, 1956.

As per prosecution case, it is alleged that the co-
accused persons including the petitioner used to cheat people on
assurance of providing them unmarried girls for solemnization
of marriage. It is further alleged that petitioner demanded Rs.
10,000/- from informant for marriage.

Learned counsel for the petitioner submits that
petitioner is in custody since 22.01.2023 and bears no criminal



antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that co-accused Komal Devi has already been granted bail vide Cr. Misc. No. 25103 of 2023 by a co-ordinate Bench of this Court and the case of present petitioner stands on similar footing. He further submits that petitioner is quiet innocent and has been falsely implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, co-accused has already been granted bail by a co-ordinate Bench of this Court and on the principle of parity, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IIIrd, Naugachia, District-Bhagalpur in connection with Parbatta P.S. Case No. 14



of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

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