

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33438 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- DORIGANJ District- Saran

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DHANESHWAR RAI son of Late Ram Ajodhya Rai Residents of Village-
Dffatarpur, PS- Doriganj, District- Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Doriganj P.S. Case No. 09 of 2023 registered for the offences
punishable under Sections 341, 323, 324, 307, 504, 506, 34 of
the Indian Penal Code.

As per prosecution case, petitioner is alleged to
have assaulted the informant by means of knife on his neck.

Learned counsel for the petitioner submits that
petitioner is in custody since 21.01.2023. Petitioner bears two
criminal antecedent and in both cases final form has been
submitted. Charge sheet has already been submitted in the case
and there is no likelihood of tampering with the prosecution
evidence. Learned counsel further submits that the petitioner is



innocent and has committed no offence as alleged in the F.I.R. Petitioner is alleged to have give knife blow on the neck of informant but injury report does not corroborate the version of F.I.R. as same is referred in Para 11 of the bail petition.

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 as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of the parties and also taking into consideration the material available on record, 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 Chief Judicial Magistrate, Saran in connection with Doriganj P.S. Case No. 09 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)

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