

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55960 of 2022

Arising Out of PS. Case No.-190 Year-2009 Thana- TEKARI District- Gaya

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DHANANJAY PATHAK @ BULLA PATHAK, Son of Late Alakhdev Pathak
R/V- Dariyapur, P.S- Tekari (Mao O.P) Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Sinha, Adv

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 01-02-2023 Heard learned counsel for the petitioner and learned APP for
the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with S.T. No. 519/2010 (corresponding to Tekari P.S. Case No. 190 of 2009) registered under Section 307 of the Indian Penal Code and Sections 25(1-B)a, and 27 of the Arms Act.

Petitioner has allegedly fired upon the informant. But due to misfire, it is alleged that the informant has not sustained any injury.

It is submitted by learned counsel for the petitioner that it is a case of false implication. Even as per prosecution case, informant has not sustained any fire-arm injury. The petitioner is stated to be in



custody since 22.02.2022. He has one antecedent in Arwal P.S Case No. 36/2008, which is also a very old case. In that case he is on bail. Investigation is complete.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, and period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st, Gaya in S.T. No. 519/2010 (corresponding to Tekari P.S. Case No. 190 of 2009), subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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