

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70718 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- RUPAULI District- Purnia

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Dharmendra Harijan @ Shikri Harijan @ Dharmendra Kumar Das Son Of
Sattanharijan @ Satya Narayan Prasad Das Village- Jangal Tola Ps- Rupauli
Mohanpur Op Dist- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Rupauli (Mohanpur) P.S. Case No. 125 of 2023 lodged under
Sections 302, 386, 120B of the I.P.C. read with Section 27 of the
Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against 7 named accused persons including the present
petitioner. The allegation against the petitioner along with others
are that they have brutally assaulted the brother of the informant
which resulted into his death.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case. He submits



that the name of 9 persons have been stated in the F.I.R.. The specific allegation is against accused Naval Yadav of firing. Counsel submits that the rest accused persons have general and omnibus allegation.

5. Counsel for the petitioner submits that petitioner is in custody since 11.05.2023 having clean antecedent. He further submits that the other co-accused person having similar allegation has been granted bail by the Co-ordinate Bench of this Court vide order dated 13.10.2023 passed in Cr. Misc. No. 65371/2023 .

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Rupauli (Mohanpur) P.S. Case No. 125 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other 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 bonds by the Trial Court itself;

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

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

(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 the bail bonds.

(Dr. Anshuman, J.)

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