

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70435 of 2022

Arising Out of PS. Case No.-136 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

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DWARIKA RAY Son of Late Ganesh Ray Resident of Village- Mahakampur
Bara, P.S.- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-01-2023

Heard the parties.

The case is registered under sections 147, 148, 149, 341, 323, 307, 302, 504 and 506 of the Indian Penal Code, in connection with Ara Muffasil P.S. Case No. 136 of 2020.

Earlier, the petitioner had moved before this Court in Cr. Misc. No. 53566 of 2021 which was rejected on 6.4.2022.

The allegation in the FIR against the petitioner is that he hit on the head of the informant by iron rod causing injury to him.

In the fresh bail application, it has specifically been stated in para-8 that although there is allegation of causing injury on the head of the informant, the same has been found simple in nature.

Taking into account the period of incarceration



(22.7.2021) as also the statement made in para-8 of the bail application that the injury has been found simple in nature, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-5 or the concerned court, Bhojpur at Ara, in connection with Ara Muffasil P.S. Case No. 136 of 2020 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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