

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4211 of 2023

Arising Out of PS. Case No.-66 Year-2019 Thana- PARAIYA District- Gaya

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DHARMENDRA KUMAR @ DHARMENDRA YADAV S/o Late Gopal
Yadav R/o village- Bishunpur, P.S.- Paraiya, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kunal Tiwary, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 03-07-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
19.08.2022 in connection with Paraiya P.S. Case No. 66 of
2019, F.I.R. dated 04.05.2019 registered for the offence
punishable under Sections 147,148,149,307,379,385 of IPC.

Allegation against the petitioner is that he assaulted
to the informant by means of iron rod upon which he
sustained injury.

Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case due to admitted land dispute. Further submits
that as per FIR allegation against the petitioner is of hitting



the informant with his fists and blow on informant's head and snatching away Rs.30,000/- from the pocket of the informant. Further submits that in fact the injury is grievous in nature but due to admitted land dispute the present occurrence had taken place and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 19.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries six more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in paras-2 and 3 of the 3rd supplementary affidavit.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Gaya in connection with Paraiya P.S. Case No. 66 of 2019, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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