

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15527 of 2024

Arising Out of PS. Case No.-31 Year-2014 Thana- SHERGHATI District- Gaya

Dharmendra Chauhan @ Bitan S/o Chhedi Chauhan Resident of Village-
Mohabbatpur (Mohabtapur), P.S.- Sherghati, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Vijay Kumar, Advocate
For the State : Mr. Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sherghati P.S. Case No. 31 of 2014 instituted for the offence under Sections 447, 326, 307, 506 & 34 of the Indian Penal Code and Section 3/4 of the Explosive Substance Act.

3. As per the prosecution case, the allegation against the accused persons including the petitioner that they have exploded the bomb due to which sister-in-law and father-in-law of the informant sustained injuries.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16-10-2023. Petitioner is stated to be man of clean antecedent.



5. It is submitted that the present one is the case of misuse of privilege of bail. Bail bond of the petitioner has been cancelled on 28-11-2014. On 10-06-2016, petitioner has been declared absconder. Subsequently, on 18-01-2023, petitioner has surrendered before the court below. It is submitted that due to mistake on the part of the pairvikar his bail bond has been cancelled. It is lastly submitted that petitioner hereby undertakes that he will remain present before the learned trial court on each and every date.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Sherghati P.S. Case No. 31 of 2014, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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