

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39699 of 2024

Arising Out of PS. Case No.-522 Year-2021 Thana- BANIAPUR District- Saran

=====

Dharmendra Nat Son of Late Chauki Lal Nat R/O Vill.- Olhanpur, P.S.-
Marhowrah, Dist.- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No.230 of 2023, arising out of Baniyapur P.S. Case No.522 of 2021, lodged on 31.12.2021, under Sections 395/397/412/413/414/401/120B of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against 6-7 unknown accused persons against whom there is allegation of dacoity at the house of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence.



Counsel submits that the name of the petitioner has figured in this case by virtue of his self-confessional statement. Nothing incriminating has been recovered from the possession of the petitioner nor the petitioner was put on Test Identification Parade. Counsel submits that antecedent of the petitioner is not clean. There are seven criminal cases pending against the petitioner and he is in custody since 20.03.2023. Counsel submits that charges have been framed against the petitioner. Counsel submits that his name has figured in this case due to the reason that his criminal antecedent is not clean.

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

6. Considering the fact that there is no material against the petitioner in the present case, let the petitioner, above named, be granted bail **after framing of the charges, if not framed, but only on being satisfied by the trial Court that the petitioner is not absconding in the pending cases i.e., (i) Marhowrah P.S. Case No.112/2022, (ii) Marhowrah P.S. Case No.254/2022, (iii) Marhowrah P.S. Case No.128/2022, (iv) Marhowrah P.S. Case No.738/2021, (v) Issuapur P.S. Case No.148/2021, (vi) Isuapur P.S. Case No.231/2021 and (vii) Baniyapur P.S. Case No.462/2021,**



on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Saran at Chapra, in connection with Sessions Trial No.230 of 2023, arising out of Baniyapur P.S. Case No.522 of 2021, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure 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)

Mkr./-

U		T	
---	--	---	--

