

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61129 of 2024

Arising Out of PS. Case No.-7 Year-2019 Thana- DUMARIYA District- Gaya

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Pramod Singh Bhokta @ Ward Sadasya Pramod Ji S/O Pachu Singh
Bhokta@Panchu Singh R/O Village- Kokana, P.S- Dumaria (Chakarbandha),
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-11-2024 Heard Mr. Sudhir Kumar Sinha, learned counsel

for the petitioner and Mr. Bhanu Pratap Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.02.2024 in connection with Dumaria P.S. Case No. 07 of
2019, F.I.R. dated 28.03.2019 for the offences punishable under
Sections 147, 148, 436, 323, 149, 341, 504 and 452 of the
Indian Penal Code, Sections 3 and 4 of the Explosive Substance
Act and Sections 16, 18, 20 and 23 of UAPA.

3. According to prosecution case, 50-60 naxals have
put a purcha and damaged the house of the informant by means
of explosive and also threatened to kill him and his brother.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Tuntun Singh Bhokta and Satyendra Singh. He further submits that except the confessional statement of the co-accused persons, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 07.02.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, petitioner is not named in the F.I.R and the name of the petitioner has been transpired on the basis of the confessional statement of the co-accused persons, 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 the learned Judicial Magistrate 1st Class, Sherghati, Gaya in connection with



Dumaria P.S. Case No. 07 of 2019, subject to the following conditions:-

i. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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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