

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60911 of 2024

Arising Out of PS. Case No.-39 Year-2017 Thana- DINARA District- Rohtas

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Dinesh Singh @ Dineshwar Prasad Singh @ Dineshwar Singh Son of Late
Kesho Singh Resident of Village- Garigawan, P.S.- Dinara, District- Rohtas,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate
		Mr. Sanchay Srivastava, Advocate
		Mr. Sushant Srivastava, Advocate
		Mr. Ashish Kumar Palit, 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 26-11-2024 Heard Mr. Krishna Pd. Singh, learned senior

counsel for the petitioner assisted by Mr. Sanchay Srivastava,

learned counsel and Mr. Rajendra Nath Jha, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
24.12.2022 in connection with Sessions Trial No. 143 of 2023
arising out of Dinara P.S. Case No. 39 of 2017, F.I.R. dated
22.02.2017 for the offences punishable under Sections 302 and
34 of the Indian Penal Code.

3. Earlier the bail application of the petitioner has
been rejected vide order dated 11.09.2023 passed in Cr. Misc.
No. 19063 of 2023.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that the petitioner is the owner of the school in question. He further submits that as per the allegation in the F.I.R, the minor son of the informant who was pursuing his studies of standard VI after being accommodated in the hostel of Chacha Nehru Residential School, Dinara which was being run and managed by the petitioner.

5. Learned counsel for the petitioner submits that the present case is based on conjecture and surmises and no one has seen the alleged occurrence and the petitioner is in custody since 24.12.2022.

6. Vide order dated 23.08.2024, a report was called with regard to the stage of trial. Report of the learned Trial Court dated 05.09.2024 reveals that out of 25 charge sheet witnesses, 10 prosecution witnesses have already been examined and the case is running for rest prosecution evidence.

7. Learned senior counsel for the petitioner submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future and the petitioner is in custody since 24.12.2022 i.e. almost 2 years.

8. The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 Additional District & Sessions Judge- 19th, Rohtas at Sasaram in connection with Sessions Trial No. 143 of 2023 arising out of Dinara P.S. Case No. 39 of 2017, 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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