

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70311 of 2024

Arising Out of PS. Case No.-352 Year-2021 Thana- GAYA MUFASIL District- Gaya

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Dhiraj Kumar Singh @ Dhiraj Kumar Son of Priya Ranjan Kumar Nayar @
Niranjan Singh @ Priyanrajan Singh @ Priyanrajan Kumar Resident of
Village- Lakhibagh, P.S-Muffasil, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manish Kumar, Advocate
	:	Mr. Aryan Singh, Advocate
For the State	:	Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-10-2024 Heard Mr. Manish Kumar, learned counsel for the

petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Gaya Muffasil P.S. Case No. 352 of 2021 for the offences punishable under Sections 147, 148, 149, 342, 452, 323, 324, 307, 376 and 511 of the Indian Penal Code, lodged on 28.07.2021 by the informant, Madhuri Devi.

3. As per the prosecution story, the informant alleged that due to land dispute the accused persons came armed variously and assaulted the father and specific names have been incorporated in the F.I.R. of assault by Kanchan Singh, Shambhu Singh and there is also allegation of outraging the modesty. Accordingly, the F.I.R.

4. It is the case of the petitioner that there is case and



counter case, this case is earlier to the present case lodged to days ago, the learned Sessions Judge order shows that the injury has not been found to be grievous in nature and there is number of cases lodged by the informant against the family members of the petitioner.

5. Learned APP for the State opposes the prayer submitting that he has criminal antecedent and allegation of assault and outraging the modesty is there.

6. Taking into account the submissions put forward by the parties as also that there is a land dispute, case and counter case, the case of the petitioner being earlier, he is in custody since 09.05.2024, the injury has not been found to be grievous in nature, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Gaya Muffasil P.S. Case No. 352 of 2021, subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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 his bail bonds.

(Rajiv Roy, J)

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