

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73665 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- DANIYAWAN District- Patna

Laljee Bind @ Lalji Jamadar, Son of Sadhu Jamadar, R/o Village- Keshaura,
P.S.- Chandi, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 25-10-2024 Heard Mr. Awadhesh Kumar, learned Advocate for the
petitioner and the learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Daniyawan P.S. Case No. 79 of 2024
registered for the offences punishable under Sections 188, 326,
307/34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. Based upon the written report, the prosecution
alleges that in course of marriage ceremony of the daughter of
one Mangal Bind @ Mangal Prasad some unknown persons
made firing, due to which one Dipu Kumar has sustained
firearm injury.

4. Learned Advocate for the petitioner contended that
from the narratives of the F.I.R., it is evident that only because
of the fact that the petitioner being the father of the bridegroom,



his name has been implicated in this case. The allegation of firing is made against unknown persons. It is next contended that the person, who sustained injury, has neither lodged any F.I.R. nor took the name of the petitioner. Even if the allegation taken to be true, no case under Section 326 and 307 of the Indian Penal Code is made out is the contention of the learned Advocate for the petitioner. The co-accused person, having identical allegation, has been allowed the privilege of bail by this Court vide order dated 10.07.2024 passed in Cr. Misc. No. 46665 of 2024 and the petitioner bears fair antecedent.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that co-accused person, having identical allegation, has been allowed the privilege of bail by this Court; moreover the F.I.R. suggests the allegation of firing is made against unknown person, coupled with the fair antecedent of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna City, Patna in connection with Daniyawan P.S.



Case No. 79 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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