

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8748 of 2025

Arising Out of PS. Case No.-25 Year-2019 Thana- PANDARAK District- Patna

Dayanand Rai @ Dayanand Prasad S/o Sita Rai @ Sita Yadav Resident Of
Village- Dargahi Tola, Ps- Pandarak, Distt.- Patna Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 15-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Pandarak P.S. Case No. 25 of 2019 dated 07.03.2019, instituted for the offence punishable under Sections 341, 323, 504, 506, 363, 365 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, the father of the informant was caught by the FIR named accused persons along with the petitioner and some unknown persons. The informant, on account of some petty dispute suspected that his father has been killed by those persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that FIR has been lodged against 8 named persons including the petitioner and 5 unknown persons.



There is no specific allegation against the petitioner rather the allegation levelled against the petitioner is that he along with other co-accused persons has kidnapped the father of the informant. It is next submitted that after investigation, the police submitted charge-sheet under Sections 341, 323, 363, 365, 504, 506/34 of I.P.C. against 5 persons including the petitioner. Accordingly, charges have been framed against the petitioner on 17.03.2025. It is also submitted that except the allegation mentioned in the FIR, no material has come against the petitioner during the course of investigation. It is next submitted that father of the informant is still traceless. It is further submitted that neither charge-sheet has been submitted nor charges has been framed under Section 302 of the I.P.C. against the petitioner. Lastly, it has been submitted that the petitioner is in custody since 21.08.2024, he has one criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Barh in Pandarak P.S. Case No. 25 of 2019, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

Sankalp/-

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