

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36981 of 2025

Arising Out of PS. Case No.-75 Year-2018 Thana- BEERPUR District- Begusarai

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Ajay Das S/O Subelal Das R/O Vill.- Laxmipur, P.s.- Birpur, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Krishna Prabhat, Advocate
For the Opposite Party/s :	Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Birpur P.S. Case No. 75 of 2018 dated 09.07.2018, instituted for the offence punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, on 09.07.2018, while the informant was engaged in some work at his house then five accused persons including the petitioner arrived at his house and started assaulting him. It is further alleged that co-accused, Shripati Mahto assaulted the informant on his head by means of spade due to which blood started



oozing out.

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 petitioner was granted anticipatory bail vide order dated 11.10.2018 passed in A.B.P. No. 2049 of 2018, since then the petitioner has never misused his privilege of bail. It is further stated that petitioner works as a daily wage labour and as such he had to travel outside of district for construction works. It is next submitted that since 15.06.2022, the case was running for charge, and the petitioner was doing pairvi of the case without fail. On 17.07.2023, the case was fixed for charge, however due to work related commitments, the petitioner had to go to different location and accordingly representation petition under Section 317 Cr.P.C. was filed before the learned Trial Court. However, the learned Trial Court rejected the representation petition and accordingly non bailable warrant was issued against the petitioner. It is further submitted that the order of process under Section 82/83 Cr.P.C. has been issued against the petitioner on 13.02.2025 then the petitioner himself surrendered before the Trial Court on 28.03.2025. Lastly, it has been submitted that the petitioner is in custody since 28.03.2025 having no criminal antecedents 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 Addl. Sessions Judge- V, Begusarai in Birpur P.S. Case No. 75 of 2018, 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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