

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.356 of 2020

Arising Out of PS. Case No.-189 Year-2019 Thana- CHARPOKHARI District- Bhojpur

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DHIRAJ KUMAR @ DHIRAJ KUMAR BHATT, aged about 27 years, Male,
Son of Late Manu Bhatt, Resident of Village- Balbandh, P.S.- Charpokhari,
Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.
For the Opposite Party/s : Mr. Shyam Bihari Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-01-2020 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 302, 307,
120(B) of the Indian Penal Code and Sections 27 of the Arms
Act.

Allegation against F.I.R. named accused is that
informant and his family and others had assembled in a
function where petitioner and his friends were making celebrate
firing and his deceased son asked them not to do so upon which



the accused persons became agitated and threatened to kill and started assaulting him and thereafter co-accused Deepak Yadav fired on his chest as a result he died.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. There is no specific allegation of any overt act against him. Petitioner is in custody since 11.09.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Charpokhari P.S. Case No. 189 of 2019, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will



be at liberty to move for cancellation of bail of the
petitioner.

(S. Kumar, J)

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