

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24372 of 2021

Arising Out of PS. Case No.-59 Year-2020 Thana- TEYAR District- Bhojpur

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DHARMENDAR MUSHAR SON OF DHANESHA MUSHAR R/O
VILLAGE- JADOPUR MUSHAR TOLI, P.S.- TIYAR, DISTRICT-
BHOJPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta, Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, office will place the matter before the Bench.

The petitioner seeks bail in connection with Tiya P.S.
Case No.59 of 2020 registered for the offence punishable under
Sections 147, 148, 149, 341, 323, 308, 304, 504 of the Indian
Penal Code.

Allegation against the petitioner is that he along with
other named accused persons has assaulted the husband of
informant, due to which he got seriously injured and died in
course of treatment in the hospital.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case only on suspicion due to village politics. No specific overt act has been alleged against the petitioner rather the allegations are general and omnibus in nature. He was just a member of the mob. Charge sheet has been submitted against the petitioner and other accused persons. Similarly situated co-accused persons have been granted anticipatory bail by the learned court below itself. The petitioner has no criminal antecedent and has been languishing in custody since 12.10.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Tiwar P.S. Case No.59 of 2020.

(Anjani Kumar Sharan, J)

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