

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33180 of 2020

Arising Out of PS. Case No.-124 Year-2019 Thana- LODIPUR District- Bhagalpur

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DHARMENDRA KUMAR Son of Ganeshi Yadav @ Ganesh Kumar Yadav
Resident of Village - Khutaha, P.S.- Lodipur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. R. P. Singh, Adv. Mr. Indeshwari Prasad Mandal
For the Opposite Party/s	:	Mr. Anuj Kumar Srivastava, APP
For the informant	:	Mr. Samir Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Section 307/34 of the Indian Penal Code and 27
of the Arms Act.

Allegedly, while the husband of the informant was
returning his home after watching a procession of marriage, in
the way, the accused persons opened fire which hit in the thigh
of her husband and he received bleeding injury. The offshoot of



the occurrence is said to be old land dispute.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The allegation of firing is against co-accused Ganesh Yadav and Mohit Yadav. So far the petitioner is concerned, there is no allegation of assault alleged against him. The other co-accused with similar allegation vide Annexure-2 to this application have been granted anticipatory bail by a coordinate bench (then His Lordship was) of this court vide order dated 21-01-2020 passed in Cr. Misc. No. 83429 of 2019. There is case and counter case between the parties. The injury on the side of the accused has not been explained by the prosecution.

On behalf of the State and the informant, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Bhagalpur in connection with Lodipur P.S. Case No.
124 of 2019 subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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