

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6477 of 2022

Arising Out of PS. Case No.-44 Year-2021 Thana- DUMARIAGHAT District- East
Champaran

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DHIRAJ KUMAR, SON OF RANVIR BHAGAT RESIDENT OF
VILLAGE- PANAPUR CHOWK, P.S. MEENAPUR (PANAPUR O.P.),
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Dumariya Ghat P.S. Case No. 44 of 2021, registered for the

offences punishable under Sections 392, 394, 379, & 307 of

I.P.C. and Section 27 of the Arms Act.

As per allegation, the petitioner and his associates

opened fire on the informant which hit in his left arm.

Further allegation of theft of 585 litres of diesel worth Rs.

51,123.15 is also there.

The learned counsel for the petitioner submits that

the petitioner is innocent and falsely implicated in this case.



He further submits that the petitioner is not named in the F.I.R. and he has been arrested only on suspicion. It has further been submitted that the petitioner is in custody since 22.10.2021 and similarly situated another co-accused person, namely, Chunnu Paswan has been granted bail by a Bench of this Court *vide* order dated 16.05.2022, passed in Cr. Misc. No. 63729 of 2021.

It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

It has further been stated that the petitioner has been made accused in Baruraj P.S. Case No. 35 of 2021, Baruraj P.S. Case No. 45 of 2021 and Masrakh P.S. Case No. 133 of 2021.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned C.J.M. East Champaran, Motihari in connection with Dumariyaghat P.S. Case No. 44 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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