

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17039 of 2022

Arising Out of PS. Case No.-70 Year-2021 Thana- GHOSWARI District- Patna

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DHARMVEER KUMAR @ DHARMVEER YADAV SON OF SHIV
NANDAN YADAV RESIDENT OF VILL- PAIJANA, P.S- GHOSWARI,
DIST- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad, Sr. Adv
Mr. Prem Ranjan Kumar, Adv
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-08-2022 Heard the parties.

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

The petitioner apprehends his arrest in a case registered for the offence punishable under section 147, 148, 149, 302, 120B of the Indian Penal Code read with section 27 of the Arms Act.

Allegedly, the petitioner alongwith others abused and assaulted the son of the informant. It is further alleged that the accused persons fired upon the son of the informant.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. His name transpired in the case due to the confessional statement of co-accused. There is no specific overt act against the petitioner. The specific allegation of firing is upon one Rahul Yadav. Similarly situated co-accused has been granted bail by this court vide order dated 27.07.2022 in Cr. Misc. No. 1294 of 2022. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused has been granted bail and there is no specific overt act against the petitioner, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, 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 court



below where the case is pending/Successor Court in Ghoswari
P.S. Case No. 70 of 2021, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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