

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18152 of 2022**

Arising Out of PS. Case No.-272 Year-2020 Thana- RANIYATALAB District- Patna

DIBYANSHU KUMAR @ ANSHU @ DIBYANSHU KUMAR SHARMA
S/o Krishnadhar Sharma Resident of Kaab Mahadeo Sthan, P.S.- Ranitalab,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Samrendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 03.03.2021, seeks
regular bail in connection with Ranitalab P.S. Case No. 272 of
2020 dated 16.12.2020 registered for offences punishable under
Sections 456, 504, 506, 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Prosecution story in brief is that on 16.12.2020, when
the informant was at his house, three persons came there and
asked about his son namely Manoj and started abusing and also
threatened to kill his son. On protest, one person namely



Anand Singh fired upon the informant which injured his leg. It is further alleged that two other persons namely Dibyanshu Kumar and Manish Kumar had come to his house in search of his son.

Learned Senior Counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. General and omnibus allegation has been levelled against the petitioner that he has trespassed the house of the informant. The offence is a bailable. No allegation of assault has been made against the petitioner nor there is any eye witness to the alleged occurrence. Petitioner is in custody since 03.03.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner on the ground that sufficient material has come against the petitioner in the case diary which is evident from the impugned order.

Considering the aforesaid facts and circumstances of the case, there being no direct allegation of assault against the petitioner, there is no allegation of tampering the evidence or influencing the witnesses and the period of custody of the petitioner, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM- II, Danapur, Patna in connection with Ranitalab P.S. Case No. 272 of 2020 dated 16.12.2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

