

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45734 of 2021

Arising Out of PS. Case No.-1 Year-2020 Thana- KHIRI MORE District- Patna

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DHARMENDRA KUMAR Son of Ram Pravesh Ram Resident of Village-siddipur, P.S.- Khiri More, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-02-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State video conferencing.

The petitioner apprehends his arrest in connection with Khiri More P.S. Case No. 01/2020 registered for the offences punishable under Sections 302/304B/120B/34 of the Indian Penal Code.

It is an admitted fact that the petitioner is working in C.I.S.F. and on the date of occurrence, he was posted in Kerela. The Apex Court in the case of *Jai Prakash Singh Vs. State of Bihar and another [(2012) 4 SCC 379]* has held that anticipatory bail can be granted only in exceptional cases where



court is *prima facie* is of view that the applicant was falsely enroped in the crime and he is not likely to misuse his liberty.

In the opinion of this Court, this is one of the case which is squarely covered by the law laid down by the Supreme Court in the case of ***Jai Prakash Singh*** (supra).

Considering the facts and circumstances, the present anticipatory bail application is allowed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Danapur, Patna, in connection with Khiri More P.S. Case No. 01/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The court below is directed to accept the bail bond of the petitioner when the petitioner is granted leave by the C.I.S.F. to attend the Court.

(Sandeep Kumar, J)

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