

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59489 of 2021**

Arising Out of PS. Case No.-31 Year-2021 Thana- DINARA District- Rohtas

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DHANU KUMAR @ DHANU KUMAR RAJAK S/o ASHOK KUMAR
RAJAK R/o VILLAGE-DINARA DILIYA, P.S-DINARA, DISTRICT-
ROHTAS AT SASARAM.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Sessions Trial No. 164 of 2021 arising out of Dinara P.S. Case
No. 31 of 2021 instituted for the offences under Sections 307,
504, 506 of the Indian Penal Code read with Sections 25(1-b)a,
26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 19.02.2021, charge-sheet has been
submitted and has antecedent of three cases.

The informant alleges that during Saraswati Puja, the
petitioner along with named co-accused were abusing the boys



and when the informant objected the petitioner fired at him but missed. Thereafter, it is alleged that the petitioner was caught by the local people and the pistol was recovered from him and was handed over to the police.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated and from perusal of the allegation as alleged in the FIR it would manifest that the alleged pistol was handed over to the police by the local people and the same was not recovered from the possession of the petitioner, it is thus submitted that the petitioner has been falsely implicated as admittedly nothing was recovered from the possession of the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and the alleged recovery is not from possession of the petitioner but the alleged pistol was handed over by the local people as alleged in the FIR, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Rohtas at Sasaram in connection with



Sessions Trial No. 164 of 2021 arising out of Dinara P.S. Case
No. 31 of 2021.

(Satyavrat Verma, J)

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