

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57360 of 2022**

Arising Out of PS. Case No.-210 Year-2021 Thana- BHELDI District- Saran

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Dharmendra Rai @ Dharmendra Kumar Son of Vakil Rai Resident of Village-  
Pojhi, P.S.- Bheldi, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Nalin Kumar, Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      14-12-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 384, 386, 420, 467, 468, 471, 307, 504 and 506 of IPC and Section 27 of Arms Act.

The prosecution case, in short, is that all the F.I.R. named accused persons abused and assaulted the informant and thereafter, demanded Rs. 25 lacs from him.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. In fact the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of the supervision



note of the police in para-28 of the case diary. Further submits that except the supervision note on the basis of suspicion, no other cogent material has come during investigation against the petitioner and in fact in the present case no injury has been found and there is admitted land dispute between the parties and land dispute pertaining to Tauji No.4843, Thana No.87, Khata No.620 and Plot No.1843 area 23 katha 9 dhur which purchased by the side of the petitioner and informant also claims over the land in question. Further submits that the co-accused persons, namely, Vijay Kumar Upadhyay @ Vijay Upadhyay @ Vijay Kumar Ypdhayay has been granted privilege of anticipatory bail vide order dated 10.05.2022 passed in Cr. Misc. No. 54762 of 2021 and co-accused persons namely Sunil Kumar Rai @ Sunil Rai and Guddu Kumar have also been granted privilege of anticipatory bail vide order dated 16.08.2022 passed in Cr. Misc. No. 61149 of 2021 by different Coordinate Benches of this Hon'ble Court and the case of the petitioner is on better footing.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the aforesaid facts, let the petitioner,



above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bheldi P.S. Case No. 210 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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