

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.71563 of 2021**

Arising Out of PS. Case No.-276 Year-2021 Thana- RAJGIR District- Nalanda

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DHARMANAND SAO @ DHARMANAND ARYA S/o Devdutt Arya  
Resident of Mohalla- Main Bazar, P.S.- Rajgir, District- Bihar Sharif

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
ORAL ORDER

2      01-08-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 149, 323, 337, 338, 427, 188, 269, 270, 271, 504, 353 of the Indian Penal Code read with Section 51(b) of the Disaster Management Act, 2005.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that he is driver of the Executive Officer, Municipal Council, Rajgir, further, alleges that on orders of the Commissioner Patna Division, District Magistrate, Nalanda and Sub-Divisional Officer, Rajgir, work regarding beautification of Rajgir Area Arrangement Authority was to be done for which



the encroachment was to be removed, it is next alleged that accordingly for beautification and removing encroachment drive was initiated which was protested by the shopkeepers who were having temporary shop on the land, it is next alleged that on orders of this petitioner, one Pappu Chaudhary pelted stones causing damage to government vehicle and injury to the officers who were initiating the encroachment drive.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the petitioner does not have a shop in the area where encroachment drive was initiated for which he relies on Annexure-2 to the anticipatory bail application. Learned counsel next submits that it is easy to allege that a particular act was committed on orders of someone, it is further submitted that there is no injury report on record of any of the officers, the present case was instituted on direction of the superior authority and not by the informant himself.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajgir P.S. Case No. 276 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Shivam/-

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