

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19935 of 2023

Arising Out of PS. Case No.-246 Year-2015 Thana- BARAULI District- Gopalganj

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DHARMENDRA KUMAR GUPTA @ DHAMENDRA KANTIKARI @
DHARMENDRA PRASAD (KRANTIKARI) Son of Vijay Prasad R/V-
Madhopur P.S- Barauli (O.P Madhopur) Dist- Gopalganj (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Barauli (O.P Madhopur) P.S.
Case no. 246 of 2015 registered under sections 307, 447, 341,
324, 504 and 34 of the Indian Penal Code and section 27 of the
Arms Act.

As per the prosecution case, it is stated by the
informant that on the orders given by the petitioner, Dinesh
Prasad fired on the informant as a result of which the informant
sustained firearm injury.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case



because of trivial dispute between the parties. Even as per the allegation in the FIR he is alleged to be an order giver and the overt act is solely alleged against the co-accused Dinesh Prasad. Petitioner is in custody since 13.12.2022.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR wherein the petitioner is said to be the order giver while the allegation of firing is not on the petitioner but on the co-accused Dinesh Prasad together with the petitioner having remained in custody for five months since 13.12.2022 and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Barauli (O.P Madhopur) P.S. Case no. 246 of 2015 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gopalganj.

(Partha Sarthy, J)

Prakash/-

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