

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30807 of 2023

Arising Out of PS. Case No.-133 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

DHARMENDRA SINGH @ MUNNA SINGH @ DHARMENDRA KUMAR
SINGH SON OF LALJI SINGH VILLAGE- GOGARHI, PO-DEOHALIA,
GEOGARHI, KAIMUR BHABHUA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar Upadhyaya

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-07-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The informant alleges that on 03.07.2021, at about 8:45 pm, when her husband was returning from his pharmaceutical shop, when he was intercepted by two unknown criminals who shot him near the complex of Tengcha Singh and fled away on their motorcycle, accordingly, the informant reached the place of occurrence and the victim was taken to the hospital.
4. Learned counsel for the petitioner submits that the



petitioner is a person with clean antecedent.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the name of the petitioner transpired in the case nineteen days after the occurrence in the statement of the victim recorded by the police wherein he alleged that it was on orders of the petitioner that Bhupendra Singh fired while Gyani Singh was holding him.

6. Learned counsel for the petitioner submits that the petitioner has been made accused in the present case by the victim alleging that he was an order giver, it is next submitted that Gyani Singh was arrested and his trial commenced in which the victim, in his evidence, has stated that he had not seen who had fired at him, it is further submitted that even a compromise has been entered in between the parties (as would be evident from *Annexure 2* to the anticipatory bail application).

7. Learned counsel submits that no justifiable purpose would be served by sending the petitioner to jail when the informant is not willing to contest the case.

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

9. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chainpur P.S. Case No. 133 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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