

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30692 of 2023

Arising Out of PS. Case No.-993 Year-2022 Thana- SHERGHATI District- Gaya

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DHANESH KUMAR S/o MASUDAN YADAV, Resident of Village-
Hardwan, P.S.- Dobhi, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Dinesh Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 16-05-2023 Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Sherghati P.S. Case No. 993 of 2022, registered for offence
punishable under section 392 of the Indian Penal Code.

As per allegation, on 24.10.2022 in the midnight at
about 2:00 P.M., the informant along his two friends, namely,
Dilip Kumar and Raju Kumar was returning to his house after
attending the cultural programme and in the way, some
miscreants, at the point of gun, started snatching their mobile
sets, etc. The informant and his friends chased the miscreants
and one of them was apprehended, who disclosed his name as
Dhanesh Kumar (petitioner). He also disclosed the names of his



companions, who fled, as Anup Kumar and Vikash Kumar and a country-made pistol and one live cartridge were recovered from his possession.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The informant himself recovered the aforesaid pistol and cartridge from the possession of the petitioner and thereafter, he handed over the same to the police. The petitioner is a person of clean antecedent and is under custody since 24.10.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Sherghati, Gaya in connection with Sherghati P.S. Case No. 993 of 2022, subject to the following conditions:-

- (i) Before accepting the bail bond, the learned court below shall verify the criminal antecedent of the petitioner and if it is found he is involved in any other cases except the present one, the learned court below shall be at liberty to cancel his bail**



bond.

(ii) The petitioner shall remain present physically before the court below on each and every date till framing of the charge and his failure to physical appearance shall lead to cancellation of his bail bond.

(Nawneet Kumar Pandey, J)

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