

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32622 of 2023**

Arising Out of PS. Case No.-344 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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DHEERAJ KUMAR @ DHIRAJ KUMAR Son of Jeewachh Ray Resident of
Village- Doripar Chandauli, PS- Pusa (Baini OP), District- Samastipur
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur
For the Opposite Party/s : Mr. Humayou Ahmad Khan

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 324, 326, 307 and 506/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, while the informant was going to Bela Chowk, petitioner along with other co-accused person overtake the informant and petitioner caught him and co-accused Rajeev Kumar fired upon him causing injury on his palm.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is nothing recovered from the conscious possession of the petitioner. He submits that there is no specific overt act against the petitioner. He further submits



that the occurrence took place on 07.08.2022 whereas the F.I.R. registered on 08.08.2022 and it was produced in Court on 16.08.2022 which creates serious doubt about prosecution case. He further submits that petitioner has got two criminal antecedents as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioner, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Muffasil P.S. Case No.344/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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