

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61175 of 2023

Arising Out of PS. Case No.-353 Year-2022 Thana- DEEPNAGAR District- Nalanda

Dharmendra Kumar S/O Late Ganauri Ram Village- Bijwanpar, Ps-
Deepnagar, Dist- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Deep Nagar PS Case No. 353 of 2022, dated 29-07-2022 registered for the offence punishable under Sections 147,148,149,307,427 of the Indian Penal Code and Section 27 of the Arms Act.

3. On the alleged date and time of occurrence, all the FIR named accused persons, including the petitioner along with some unknown persons attacked on the house of the informant and fired several rounds with intent to kill the informant.

4. It is submitted by the petitioner's counsel that petitioner has been falsely implicated in the instant case due to



village politics. There is no specific allegation against the petitioner and no one has sustained fire arm injury. The identification of the petitioner is not possible in night. The petitioner has no criminal antecedents. The other co-accused of this case has been privileged with anticipatory bail by order dated 03.07.2023 passed in Cr. Misc. No. 20397 of 2023 (Annexure-3).

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, clean antecedents, as also the fact that other co-accused of this case has been privileged with anticipatory bail by order dated 03.07.2023 passed in Cr. Misc. No. 20397 of 2023 (Annexure-3) this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Nalanda at Biharsharif, in connection with Deep Nagar PS



Case No. 353 of 2022, dated 29-07-2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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