

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65509 of 2023**

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

Dharam Veer Kumar @ Dharm Veer Kumar, aged about 35 years, Male, son of Late Ganauri Ram, resident of Village- Bijwanpar, P.S- Deepnagar, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      07-11-2023                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Deep Nagar PS Case No.353 of 2022 dated 29.07.2022, instituted under Sections 147, 148, 149, 307, 427 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that the petitioner and other named co-accused persons along with some unknown persons attacked the house of the informant and fired several rounds with intention to kill. Some empty cartridges were also recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no specific allegation against the petitioner and



none has sustained any firearm injury. It is further submitted that the identification of the petitioner is not possible due to darkness in the night. Learned counsel further submits that similarly situated co-accused, Rajesh Kumar @ Avinash Kumar @ Avishek Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 03.07.2023 passed in Cr. Misc. No. 20397 of 2023. Lastly, it is submitted that the petitioner has one criminal case pending against him.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif, in Deep Nagar PS Case No.353 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

**(Khatim Reza, J)**

J. Alam/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

