

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59949 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- PATNA CITY CHOWK District- Patna

DHIRAJ KUMAR @ DHEERAJ KUMAR S/O SRI PRABHU RAM R/o
Mohalla- Mangal Talab, Harijan Basti, P.S.- Chowk, District- Patna
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201, 120(b), 386/34 of the Indian Penal Code & 27 of the Arms Act.

As per prosecution case, when the informant and owner of the Til Oil Facotry namely, Promod Kumar Bagla went his factory, in the meantime, co-accused persons also came and demanded extortion money. It is further alleged that the co-accused persons opened fire upon them as a result of which Promod Kumar Bagla sustained injury and later on he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner is not named inn F.I.R. nor any incriminating article has been recovered from his



possession which connect his involvement in this case. No specific allegation of shot fire upon the deceased is against this petitioner rather his name has transpired in this case on the basis of confession made by co-accused Monu Kumar. The petitioner has got no criminal antecedent. Moreover, similarly situated co-accused namely, Kundan Kumar has already been granted bail by a coordinate bench of this court vide order dated 9.1.2023 in Cr. Misc. No. 44514 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 4.4.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chowk P.S. Case No. 149 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV, Patna City.

(Sunil Kumar Panwar, J)

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