

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80556 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- MAHUA District- Vaishali

=====

DINESH KUMAR RAY @ DINESH KUMAR Son of Shyamjee Ray
Resident of Village - Madhaul, P.O. and P.S.- mahua, Dist.- Vaishali at
Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Nand Kumar, APP.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 384,
385, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the
petitioner are said to have abused and threatened the
informant to kill him.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no
offence. No such occurrence as alleged ever took place. He
has been falsely implicated in this case due to ulterior



motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Prior to the present case, the petitioner and others lodged the FIR against the informant and his associates, who indulged in conspiracy to embezzle a considerable amount from the said college account and thereafter, in light of the above, the informant lodged an FIR against the petitioner. There is inordinate and abnormal delay of 13 days in filing the present case without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is an inordinate delay in lodging the FIR, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in



connection with Mahua P.S. Case No. 147 of 2023, subject to
the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

