

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27952 of 2024

Arising Out of PS. Case No.-214 Year-2020 Thana- WAJIRGANJ District- Gaya

Dharmendra Das, Male, aged about 28 years, Son of Budhan Das, Resident of
Village- Baraani (Dakhingaon) P.S. -Wazirganj District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Wazirganj P.S. Case No. 214 of 2020 instituted for the offences
punishable under Sections 341, 448, 323, 324, 307, 379, 504
and 506/34 of the Indian Penal Code.

3. As per the prosecution case, accused persons
namely Budhan Das, Ravi Das, Fantoosh Das and Vikas Das
variously armed with weapons like iron rod, khanti, lathi
entered into the house of the informant assaulted and injured
him and his family members due to which his brother, nephew
become badly injured and accused Ravi Das took away gold
locket from his nephew.

4. Copy of the case diary has been submitted by



learned counsel for the petitioner in the Court proceeding and the same has been received under Section 207 of the Cr.P.C.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to land dispute between the parties. Petitioner is named in the FIR. He further submits that neither the petitioner has caught at the spot nor anything has been recovered from the conscious possession. Petitioner has got no criminal antecedent as stated in para 3 of the petition is in custody since 17.10.2022.

6. Learned APP opposes the prayer for bail.

7. From perusal of the FIR, case diary and impugned order of the learned A.D.J.-Xth, Gaya dated 16.02.2024, it appears that petitioner is named in the FIR. On the basis of written report of the informant Ajit Kumar, FIR has been lodged against seven accused persons including the petitioner under various Sections of the Indian Penal Code. The allegation against the petitioner is that he causing head injury of Manmeet Kumar by iron rod. From perusal of the case diary, it appears that only one injury has been found by doctor who has conducted medical examination. The injury report shows that the nature of injury is grievous caused by sharp cutting weapon,



but in the FIR, it is stated that the injury caused by iron rod. Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st Gaya in connection with Wazirganj P.S. Case No. 214 of 2020.

(Ramesh Chand Malviya, J)

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