

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36106 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- DELHA District- Gaya

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Dhiraj Kumar, Son Of Sanjay Kumar, R/O 546, Near Bageshwari Mandir,
P.S.- Delha, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate

Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Delha P.S. Case No. 52 of 2024 registered for the alleged offences under Sections 341, 323, 354, 353, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, police personnel found four youths indulging in inappropriate behaviour. When the police personnel intervened, they threatened and scuffled with them and with wrong intentions started pulling the lady constables. Next day again same four youths came and started interfering with the work of the police personnel. A patrolling party came and one of the youths was apprehended, who



disclosed the name of the petitioner and other co-accused persons, who fled away from the spot and were involved in abusing, assault and misbehaviour with lady constables.

4. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent has been falsely implicated in this case. The occurrence took place on two days. It is not clear if the petitioner was same person who was involved in the occurrence of the previous day. Moreover, the allegations are mainly opinion of the informant and informant has not even indicated which of the lady constables was assaulted or misbehaved with by the petitioner. Learned counsel further submits that in fact the petitioner was not present at the place of occurrence and no witness from the place of occurrence has been joined in the investigation, although it was a crowded place. Petitioner is having no criminal history.

5. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner intervened into the duty of the informant and other constables and misbehaved with them and tried to outrage the modesty of lady constables.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



fact that the name of the petitioner transpired on the basis of confessional statement of co-accused and further considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Court of A.C.J.M.-1st, Gaya in connection with Delha P.S. Case No. 52 of 2024, subject to the condition laid down under section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Siddharth
Sagar/-

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