

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35740 of 2024

Arising Out of PS. Case No.-64 Year-2016 Thana- TANDWA District- Aurangabad

Dinesh Chandravanshi @ Dinesh Kumar Son of Makhan Prasad R/O Vill.-
Tandwa, P.S.- Tandwa, Dist.- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Singh

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-08-2024 1. 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 302 and
34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and has been
falsely implicated in the instant case by the informant. It is next
submitted that no doubt allegation of committing murder but
then from perusal of the allegations as alleged in the FIR, it
would manifest that the entire allegation hinges around
suspicion. The learned counsel next submits that the police
after threadbare investigation came to a considered conclusion



that petitioner is innocent and thus submitted final form exonerating the petitioner of the allegation as alleged in the FIR, but the learned trial court differing with the police report in a mechanical manner took cognizance under Section 302 of the IPC read with other sections of the IPC by an order dated 16-9-2022 and thus the petitioner apprehends his arrest. It is next submitted that when one investigating agency after threadbare investigation has come to a considered conclusion that petitioner is innocent whether it would be prudent for this court to send the petitioner to jail based on an order of cognizance which was taken based on the same investigation report which exonerated the petitioner of the allegation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Tandwa P.S.



Case No. 64 of 2016 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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