

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53244 of 2024

Arising Out of PS. Case No.-417 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Dharmendra Kumar S/o Nagdeo Rai R/o vill - Hilalpur, P.S. - Industrial Area,
Distt. - Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepak Kumar S/o Harishchandra Singh R/o Mohalla - Under Kila Budha Colony, Hajipur, P.S. - Nagar, Hajipur, Distt. - Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jata Shankar Jha, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-08-2024 Heard learned counsel for the petitioner, learned APP

for the State and the learned counsel appearing on behalf of the

informant.

2. The learned counsel for the petitioner submits that
petitioner has antecedent of two cases and has been falsely
implicated in the instant case by the informant.

3. It is next submitted that petitioner during the period
of investigation was on police bail, but the police in a
mechanical manner submitted charge sheet based on which
cognizance came to be taken. It is next submitted that law stand
well settled by a judgment of this Court that as to what steps
have to be taken by the learned Trial court when an accused who
is on police bail against him charge sheet is submitted and for



the said proposition relies on an order of this Court in the case of Mahendra Prasad Singh vs. The State of Bihar reported in 2004 (3) PLJR 491, Sheo Chandra Singh Vs. The State of Bihar reported in 2007(4) BBCJ 66 and Jag Narayan Yadav & Ors. Vs. The State of Bihar reported in 2010 (2) PLJR 684.

4. The learned APP, Mr. Rabindra Kumar and the learned counsel appearing on behalf of the informant are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner.

5. In view of the submissions made by the learned counsel for the petitioner, the anticipatory bail application is disposed of with a direction to the petitioner to surrender before the learned Trial court on or before 02.09.2024 and the learned Trial court shall on the same day dispose of the application, keeping in mind the law enunciated by this Court as recorded herein above.

6. The anticipatory bail application stands disposed of.

(Satyavrat Verma, J)

Prakash Narayan

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