

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63338 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- SHASTRINAGAR District- Patna

Dheeraj Kumar @ Dhiraj Kumar Son of Late Anil Kumar Singh @ Anil
Singh Resident of Body Builder Gali, P.S.- Hawai Adda, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-11-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Shashtri Nagar P.S. Case No. 191 of 2024 dated 03.03.2024 registered for the offences punishable u/ss 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant's brother and when the informant tried to stop them then the accused persons threatened to kill her entire family if she did not withdraw the earlier case. Thereafter, the informant was taking away her brother towards her house then the accused



persons started assaulting them with lathi, danda, iron rod, bricks and stones and the petitioner, Dhiraj Kumar fired from his pistol but somehow they saved their lives.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The allegation against the petitioner is of firing on the informant but the said firing did not cause any injury to the informant. Nothing has been recovered from the possession of the petitioner. The co-accused person has already been granted regular bail by this court vide order dated 25.07.2024 passed in Cr. Misc. No. 47701 of 2024. The petitioner has two criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna in connection with Shashtri Nagar P.S. Case No. 191 of 2024, subject to conditions as laid



down under section 438(2) of the Code of Criminal Procedure
with further conditions :-

*(i) The petitioner is directed to remain physically present
before the learned Court below on each and every date, failing which
on two consecutive dates without reasonable cause, the bail bond of
the petitioner is liable to be cancelled.*

*(ii) If the petitioner is found involved in similar nature of
offence in future, the prosecution will be at liberty to move for
cancellation of his bail bonds.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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