

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66819 of 2024

Arising Out of PS. Case No.-284 Year-2024 Thana- PARSABAZAR District- Patna

Dhiraj Kumar Son of Jai Karan Sharma Resident Of Village -Abdullahchak,
PS- Parsa Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 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 147, 149,
386, and 307 of the Indian Penal Code read with Section 25(1-
B)(a), 27 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 13.06.2024 during patrolling, he received an
information that firing was made at village Chhatna,
accordingly, the informant reached the place of occurrence when
he saw constable, Deep Narayan Singh present there along with
local people who disclosed that an altercation had taken place
between boys of Abdulllah Chak and Pipra village while playing



Cricket on 12.06.2024 on account of which on 13.06.2024 the petitioner along with other named accused and 5-6 unknown accused persons came on a motorcycle at Pipra village and made firing of 10-20 rounds and fled towards Parsa Sampatchak road, further Deep Narayan Singh made recovery of one live and five used cartridges from the spot.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is also submitted that though there is allegation of firing, but then, no one was injured. It is further submitted that petitioner is a student and thus, has been implicated with general and omnibus allegation. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence that he was not present at the place of occurrence.

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

6. 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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna in connection with Parsa Bazar P.S. Case No. 284 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation or is not presenting himself as and when required, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this order be sent to the concerned P.S. through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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