

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65654 of 2024

Arising Out of PS. Case No.-439 Year-2024 Thana- DANAPUR District- Patna

=====

Dinesh Rai @ Dinesh Kumar Son of Punath Rai Village- Panchuchak Tari
Godown W.No-19, Ps- Danapur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Shilpa Kumari, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Heard Ms. Shilpa Kumari, learned counsel for the

petitioner and Mr. Bishweshwar Ram, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Danapur P.S. Case No. 439 of 2024, F.I.R. dated 12.05.2024 for the offences punishable under Sections 41, 323, 379, 452, 307, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, all the F.I.R named accused persons and 7-8 unknown persons have entered into the shop of the informant and looted Rs. 70,000/- and on protest by the nephew of the informant, all the accused persons assaulted the informant's nephew.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. She further submits that the petitioner is named in the F.I.R and there is allegation that the petitioner has assaulted one Ayush Kumar by means of pistol butt but the injury report of the injured person suggests that the injury is simple in nature. She further submits that due to some business disputes, the present occurrence has taken place. She further submits that the similarly situated co-accused, namely, Bihari Rai @ Bihari Kumar and others have been granted anticipatory bail by a Co-ordinate bench of this Court vide order dated 11.09.2024 passed in Cr. Misc. No. 61664 of 2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Danapur in connection with Danapur P.S. Case No. 439 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

