

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81563 of 2024

Arising Out of PS. Case No.-375 Year-2024 Thana- GAYA KOTWALI District- Gaya

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Dhiraj Kumar @ Dheeraj Kumar Son of Manoj Kumar Branwal @ Manoj Prasad Varnwal Resident of Mohalla - Mallah Toli, Nadraganj, P.S. - Civil Lines, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 13-12-2024 Heard learned counsel for the petitioner and Mr. Rajiv Nayan, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 127(2), 308(2), 326(f), 74 and 3(5) of the B.N.S.

3. The case of the prosecution is that the informant has taken a shop from Veena Devi. It is further alleged that after death of Veena Devi, Manoj Kumar Baranwal, Dhiraj Kumar(petitioner) and Sonu Kumar were demanding Rs. 10 lakh and threatened her of dire consequences, if the same was not paid. It is also alleged that on 15.07.2024, they poured petrol on the shop of the informant and put on fire. Allegation against this petitioner is that he threatened the informant that he will put



fire in the premises.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted by learned counsel for the petitioner that a proceeding under Section 107 of the Cr.P.C. was initiated and in that proceeding, it was found that the informant is neither paying the rent nor vacating his premises and trying to usurp the premises. It is clearly a dispute of tenancy. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Other co-accused persons have already been granted anticipatory bail by this Court vide order dated 02.12.2024 in Cr. Misc. No. 79193 of 2024. Moreover, the petitioner is languishing in judicial custody since 17.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kotwali P.S. Case No. 375 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Gaya.

(Ashok Kumar Pandey, J)

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