

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2229 of 2024

Arising Out of PS. Case No.-1069 Year-2022 Thana- MADHEPURA District- Madhepura

Dinesh Kumar @ Tuntun @ Dinesh Yadav son of Jagdish Yadav, resident of
Village-Tuiniyahi, P.S. Madhepura, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-01-2024 Heard Mr. Amarnath Jha, learned counsel appearing
on behalf of the petitioner and the learned Additional Public
Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Madhepura P.S. Case No. 1069 of 2022, registered for the
offences punishable under Sections 147, 148, 341, 323, 384,
385, 379, 427, 504 and 506 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Allegedly, all the FIR named accused persons,
including the petitioner, came into the house of the petitioner
and looted away various construction materials, including the
iron rods, etc.

4. It is submitted on behalf of the petitioner that from
the narrations made in the FIR, it is evident that the specific



allegation has been levelled against co-accused 'Santosh Kumar Santoshi' and 'Ram Narayan Kanjiya', who were indulged in property dealing and only for ulterior motive, the name of the petitioner and others have been implicated in this case. He further submits that there is no specific allegation of any overt act and at best the petitioner can be said to be a member of the unlawful assemble. That apart, the petitioner is a man of fair antecedent and he undertakes that he will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioner has actively participated in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 1069 of 2022, subject to the



conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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