

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2777 of 2025

Arising Out of PS. Case No.-356 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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Dharmendra Kumar @ Chunnu Lal Son of Late Baidyanath Prasad
Shrivastava @ Baidyanath Prasad Permanent Resident of Village- Raisingha,
P.S- Motihri Muffasil, District- East Champaran, resides at Mathia, Motihari,
P.S. - Chhatauni, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Sangeet Deokuliar, Advocate
For the Opposite Party/s :	Mr. Satyendra Prasad, APP
For the Informant :	Mr. Rajesh Kumar Singh, Sr. Advocate
	Mr. Rahul Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 147, 148, 149, 323,
307, 302 and 120B of the Indian Penal Code and Section 27 of
Arms Act.

3. As per the FIR, the petitioner and other co-accused are
said to have fired upon the informant's side as a result of which
one person, namely, Jaimangal Singh died.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. There is no allegation of firing against the petitioner. The specific allegation is against co-accused Raj Narayan Singh. It is further submitted that after investigation, police has filed final form against the petitioner but differing with the same, learned Court below took cognizance against the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned Senior counsel for the informant opposed the prayer for anticipatory bail. It is submitted by the learned Senior Counsel for the informant that police has filed final form against the main assailant as well, therefore, the Court below took cognizance against the petitioner.

6. Having regard to the facts and circumstances of the case, since the petitioner is not the main assailant, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in connection with Motihari Muffasil P.S. Case No.356 of 2019, subject to the conditions as laid down under Section 482(2) of the BNSS, 2023.

(Anjani Kumar Sharan, J)

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