

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5253 of 2025

Arising Out of PS. Case No.-402 Year-2024 Thana- VAISHALI District- Vaishali

Dhirendra Singh S/o Late Jagarnath Singh, R/o Village- Benipur, P.S.-
Vaishali, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Advocate.
For the State : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Vaishali P.S. Case No. 5104015240402 of 2024 dated 7.10.2024, registered for the offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 118(1), 74, 109, 303(2), 352 and 351(2) of the *Bharatiya Nyaya Sanhita*, 2023.

3. As per allegation, the petitioner and his family members have assaulted the informant by sword and iron rod resulting into grievous injury on his head.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, on account of



land dispute, there was altercation between two sides and injuries were caused by both sides. Even petitioner has suffered grievous injury and his wife and daughter have also got injuries. He also submits that counter case bearing Vaishali P.S. Case No. 401 of 2024 has also been lodged by the wife of the petitioner against the informant and others.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in three other cases in which he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the free-fights and injuries caused on both sides, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Safdar Salah, learned Judicial Magistrate, 1st



Class, Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 5104015240402 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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