

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15956 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- SAHJAHANPUR District- Patna

Dharmendra Kumar S/o- Late Ram Balak Prasad @ Ram Balak Yadav
Village- Sohpar Ps- Shahjahanpur Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Satya Prakash
For the Opposite Party	:	Mr. Dr. Kumar Uday Pratap
For the Informant	:	Mr. Amarendra Nath Verma
		Ms. Surbhi Bhushan

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 01-07-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Shahjahanpur P.S. Case No. 90/2024 dated 31.07.2024 registered for the offence punishable u/s 103 read with Section 3(5) of the B.N.S.

3. As per the prosecution case, when the informant and his brother were irrigating the field, the informant saw that the petitioner and the co-accused persons along with 2-3 unknown miscreants holding weapons were coming towards them. Then, the informant told his brother to flee away from the spot otherwise they would kill them. In the meantime, the co-



accused Ashok Kumar and Dharmendra Kumar caught hold of the informant's brother and started assaulting him with an iron rod. On seeing this, the informant tried to flee away towards the village and the co-accused persons Suresh Singh and Rahul Kumar tried to catch him but the informant succeeded to flee away. On seeing the villagers, the accused persons fled away from there. When the informant reached at the place of occurrence, he saw his brother dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on account of land dispute. Learned counsel has submitted that the informant of this case has given the name of one Dharmendra Kumar who assaulted the informant's brother but there is two Dharmendra Kumar and this fact itself creates doubt. The petitioner in his confessional statement has stated that the co-accused Ashok Kumar with his associates have killed the informant's brother Bhagwan Singh. The petitioner has three antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 24.08.2024.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Shahjahanpur P.S. Case No. 90/2024, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

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

