

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14856 of 2025

Arising Out of PS. Case No.-175 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

Dharmesh Yadav @ Dharmesh Kumar Son of Munna Yadav @ Munna Prasad
Singh Resident of village- Dalsagar, P.S.- Buxar (Industrial Area), Distt.-
Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Buxar
(Industrial) P.S. Case No. 175 of 2024 instituted for the offences
under Sections 109, 3(5) of the BNS and Section 27 of the Arms
Act.

3. Earlier vide order dated 10.01.2025 passed in Cr.
Misc. No. 79771 of 2024 the prayer for anticipatory bail to the
petitioner was rejected.

4. Prosecution case, in short, is that all the accused
persons came at the door of the informant and called him and, in
the meantime, co-accused Chhotu Kumar fired upon the
informant.



5. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Chhoti Kushwaha. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The specific allegation of firing is attributed against one Chhotu Kumar who has already been granted bail by this Court vide order dated 13.11.2024 passed in Cr. Misc. No. 70518 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.01.2025 and has one criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of Court below/concerned Court in connection with Buxar (Industrial) P.S. Case No. 175 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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