

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33399 of 2025

Arising Out of PS. Case No.-50 Year-2024 Thana- NIMCHAKBATHANI District- Gaya

Dhiraj Kumar, S/o Vijay Yadav, R/O Village-Chandachak, P.S.-Neemchak
Bathani, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Neemchak Bathani P.S. Case No.50 of 2024 registered under Sections 147, 148, 149, 341, 323, 307, 333, 353, 337, 338, 427, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per FIR, on 16.03.2024 at about 5.10 hours, the informant along with police team had gone to raid accused of Neemchak Bathani P.S. Case No.48 of 2024 at Chandachak Ghat near Paimar river and when the police personnel reached there, the accused person surrounded raiding party and assaulted with iron rod, *lathi*, *danda* and



brick-batting causing injury to the informant and other police constables. The name of petitioner transpired on the basis of disclosure made by unknown co-villagers who alleged to be sand mafia.

4. It is submitted by learned counsel appearing for petitioner that the allegation *qua* physical assault is appearing very much general and omnibus against the petitioner rather the petitioner was identified by unknown local villagers out of their personal differences. It is submitted that considering the same, several co-accused persons were granted anticipatory bail by one of the learned co-ordinate Bench of this Court vide order dated 01.10.2024 passed in Cr. Misc. No.65629 of 2024 and, therefore, taking note of judicial parity, this petitioner also deserves bail. The petitioner is said to be a man of clean antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. In view of aforesaid factual submissions and by taking note of the fact, as nature of allegation *qua* physical assault appears very much general and omnibus against the



petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender before the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Gaya in connection with Neemchak Bathani P.S. Case No.50 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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