

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41619 of 2025

Arising Out of PS. Case No.-223 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

Dharmendra Kumar S/O Pramod Kumar Ray @ Pramod Rai Resident of
Village-(Donpur) Jhapaha, Ward no. 2, PS- Ahiyapur (Jhapaha), District-
Muzaffarpur, Pincode- 842004(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-07-2025 Heard Mr.Uday Kumar, learned counsel for the
petitioner and Mr.Yogendra Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
30.04.2025 in connection with Tariyani P.S. Case No. 223 of
2021, F.I.R. dated 25.09.2021 registered for the offence
punishable under Sections 413,414,34 & 120(B) of IPC.

3. As per prosecution case, in brief, it is alleged by the
informant Sabhakant Paswan, SHO of Tariyani Police Station
that on 25.09.2021 at about 2:30 P.M. information was received
that at the scrap shop of Jhalak Sah, he along with his
accomplice were dismantling a stolen truck. When the police
party reached at the scrap shop at about 3:15 P.M. saw that
around 6 to 7 persons were dismantling a truck with a gas cutter



and one women was seen to separating the parts of the truck being dismantled. On seeing the police, the persons tried to flee away but three persons namely Jhalak Sah, Phuldev Sah and Gangiya Devi were apprehended and the remaining three persons managed to flee. It is further alleged that on investigation it was found that the stolen truck belonged to one Smt. Reena Devi and the price of the truck was estimated of Rs. 20,00,000/- (Rupees Twenty Lacs).

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Learned counsel for the petitioner submits that the name of the petitioner has been transpired during investigation on the basis of the disclosure made by apprehended co-accused persons, namely, Jhalak Sah, Phuldeo Baitha and other co-accused person. As per allegation in the FIR, they have informed the police that they have purchased the part of the Truck in question from the petitioner and one Raju Sah after payment of consideration amount of Rs.2,50,000/- (Two Lacs Fifty Thousand). Learned counsel for the petitioner submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and except the confessional



statement/disclosure made by apprehended co-accused persons, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 30.04.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent and name of the petitioner has been transpired during investigation on the basis of the disclosure made by apprehended co-accused persons, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sheohar in connection with Tariyani P.S. Case No. 223 of 2021, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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