

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39643 of 2025**

Arising Out of PS. Case No.-260 Year-2021 Thana- ATHMALGOLA District- Patna

Dharmendra Kumar S/o Satan Ray @ Sadan Ray R/o Village-Kala Diara, P.S-  
athmalgola, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Binay Kumar Singh

For the Opposite Party/s : Mrs. Shaheen Begum

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

3      15-10-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Athmalgola P.S. Case No. 260/2021 registered for the offences punishable under Sections 414/34 of the Indian Penal Code.

3. As per prosecution case, one Guddu Kumar was apprehended on the spot alongwith stolen bullet motorcycle who disclosed that the said motorcycle had been given by the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. Except disclosure of the co-accused, there is nothing on record to demonstrate the complicity of the present petitioner



with the alleged occurrence. The petitioner bears no criminal antecedent. No incriminating articles has been recovered from the conscious possession of the petitioner. The petitioner is not the owner of the said bullet motorcycle. He further submits that the petitioner has no concern with the said co-accused Guddu Kumar. The petitioner is not in any way connected with the alleged occurrence. In the light of the aforesaid submission, no case is made out against the petitioner under the aforesaid sections. He orally submits that the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 S.D.J.M., Barh, District-Patna in connection with Athmalgola P.S. Case No. 260/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court are not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

**(Alok Kumar Pandey, J)**

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